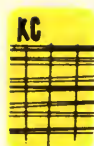




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NEW MEXICO  
HISTORICAL REVIEW



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# NEW MEXICO HISTORICAL REVIEW

## *Editors*

FRANK D. REEVE

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THEODOSIUS MEYER, O.F.M.

ARTHUR J. O. ANDERSON

VOLUME XXVI  
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#### ERRATA

P. 347—the author's name should read, Wyllys.







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*January, 1951*

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## HOME ON THE RANGE

*By* RUTH TRESSMAN

**I**F a woman is considered a necessary component of a home, homes on the range were almost non-existent in the early days, say 1860-1880, in the Great West. Nor were such homes as were established on the plains and farther west made by the women the movies usually give us as "the Western type." Though there eventually came to be many kinds of range women as there were many kinds of range men, one is at a loss to find one—even a half-breed—lying around in sexy poses on any table, divan, or rock that is handy, as Jennifer Jones did in "Duel in the Sun," or one who made an analogy between breeding children and breeding stock in the free terms used by the girl in "Red River," nor does one find many as glamorous as Jane Russell nursing Billy the Kid.

The few good women of the range were luxuries the average cowboy only dreamed he some day might afford. They came sometimes from Kentucky, Tennessee, and other Southern states, occasionally from families with aristocratic traditions. Later, to ranches on the Great Plains, came women from families that moved west from Illinois, Missouri, eastern Kansas. For the most part they came from conventional, God-fearing families, and though necessity forced them to adopt some independent attitudes, they did not try to change to "Western" types. In fact they clung as tenaciously as environment would permit to the old ways in a new land. In the South West the Spanish taught them a way of living suited to the climate of Arizona and New Mexico. On the

Great Plains danger from Indians and lack of materials largely determined the type of house they lived in, but on the whole, their basic concepts, the guides by which they lived, changed very little.<sup>1</sup>

No matter what the location or financial state of the ranch wife, her resourcefulness was taxed by difficulties of travel and by isolation and loneliness. The woman who lacked buoyancy, adaptability, and some resources within herself did not belong on the range. Even given these qualities, her life expectancy, so the census of 1860 indicated, was shorter than that of a man on the frontier.<sup>2</sup> At present the life expectancy of an American woman exceeds that of the men by several years. However, 1860 is a very early date. Things changed rapidly in the West. Hence, if a woman had the stamina to endure her first years on a ranch, she seems generally to have gained satisfaction from her life, an ability to take things in her stride.

Most chronicles written by range women are optimistic. For example, a traveler to Greeley, Colorado, in 1871, tells how women in that locality seemed happy and laughed at commiseration in spite of the still present fear of Indians.<sup>3</sup> Another traveler, Meline, in 1866, reported the same attitude held by a ranch woman near Colorado City.<sup>4</sup> In like vein Mrs. Sophie Poe, describing life in New Mexico in the 1870's and 1880's, indicates contentment and love for the country.<sup>4a</sup>

There was reason for this perhaps in the very geography of the Plains-Mountains country. Something expansive about life in this region may have counteracted any tendency toward melancholia. Furthermore, the range woman practically had to be objective in her thinking. Usually there was

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1. Nancy Wilson Ross, *Westward the Women*. Henry Holt & Co., 1944. Many examples cited.

2. William F. Sprague, *Women and the West*. Christopher Publishing House, Boston, 1940, p. 113.

3. A few women who have written their reactions to range life say that it made them broader minded, but one of these women was obviously scandalized by the fact that a neighbor plowed for a woman other than his wife. cf. Clarice A. Richards, *A Tenderfoot Bride*, p. 59.

4. *Ibid.*, p. 107. This was, be it noted, before the terrific winter of 1866 which led many Colorado ranchers to leave their ranches. Some of their deserted shacks may still be seen in Western Colorado.

4a. *Buckboard Days*. Caldwell, Idaho, 1936.

not time to be otherwise. Also she gained satisfaction from the respect with which she was treated in a country where women were rare. At any rate, the life seems to have been interesting and vital for women strong enough to endure the physical strain, and the homes they created no doubt benefited from this fact.

As has been said, a home of his own was something the average cowboy dreamed about. What he called "home" might be a large ranch house, headquarters, or a bunk house, or a dugout he called his own. But a real home, so his songs said, might necessitate his quitting his cowboy's life and was likely to be left to some distant, happy future. As the song, "The Old Chisholm Trail," has it,

When I thought of my girl, I nearly would cry,  
I'll quit herdin' cows in the sweet bye and bye.

If later in life, he came into some money or his boss gave him a stake, he might marry. Many range men never married, or if they did, they moved back East or to town to a more sheltered existence.<sup>5</sup> However, a few wealthy cowmen whom luck, or the government, or the gods of free enterprise had favored did have homes, generally speaking stable and happy ones. The houses they owned varied greatly. Men from the East or from foreign countries generally built better homes than the typical Westerner. Some of these were "display" houses. There are, for example, the Maxwell house at Fort Sumner, New Mexico,<sup>6</sup> the Kenedy house and others of Spanish style near the Rio Grande in Texas.<sup>7</sup> But these are the exceptions, not the rule of the range.

The lone cowboy waiting for a break does not seem to have worried much about the home he could provide for a girl—if he got the girl. His songs, very sentimental, tell of the kind of girl he thought he wanted. "Snagtooth Sal" and "Pretty Little Black-eyed Susan" were apparently both popular. Sometimes the cowboy was sensible, like the one who made up the song about "Biscuit Shootin' Susie," the waitress

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5. Tom Scott, *Sing of America*. Thomas Y. Crowell, 1947, p. 79.

6. Illustration in Sophie Poe, *Buckboard Days*, p. 100, and Wm. A. Keleher, *Maxwell Land Grant*. Rydal Press, Santa Fe, p. 88.

7. Illustration in C. L. Douglas, *Cattle Kings of Texas*. Dallas, 1939, p. 99.



at the station. Sometime he bragged about all the girls he knew—wishful thinking—and cast his vote for an outdoor type rather than a “lady.”

But, Lord, they're all ruffles an' beadin'  
And drink fancy tea by the pail;  
I'm not used to that sort of stampedin'  
Longside the Santa Fe Trail!<sup>8</sup>

Again he wanted her “all over gol-durned fluffs.”<sup>9</sup>

The cowboy was not always considered such a good matrimonial bet by families back east. One ballad sung by Lomax warns the girls not to be fascinated by uncouth cowboys who can only lead them to a hard life, and, when they come a'-courtin', will look them over and have nothing better to say than “Your Jonny-cake's burned.” One cowboy rationalized such a situation:<sup>9a</sup>

Her parents don't like me, they say I'm too poor;  
They say I'm unworthy to enter her door.  
I've no wife to quarrel, no babies to hawl;  
The best way of living is no wife at all.<sup>10</sup>

Sometimes, of course, the cowboy got the girl. And when he did, he treated her well according to his lights. Just how the girl who was “all over gol-durned fluffs” managed if she married the cowboy is another story. One thing is certain, the saying that a trousseau is what the bride will wear for the next five years was even more true on the early-day range than now. A Sears-Roebuck trousseau, which by careful choosing could be had for twenty dollars, was likely to have to survive dust storms, insects, possibly a dirt floor, and possibly a sod roof from which the mud trickled down in a really good rain. Ole Olson, the slow, prosaic Swedish carpenter back in Minneapolis, did much better by his wife in the matter of housing than the “romantic” cowboy.<sup>11</sup>

Shelter did vary greatly, though, according to section and

8. John A. and Alan Lomax, *Cowboy Songs and Other Frontier Ballads*. The Macmillan Co., 1947, p. 310.

9. P. A. Rollins, *The Cowboy*. Charles Scribner's Sons, 1936, p. 73.

9a. I do not believe in communal ownership of the ballads, so I see the author as a definite individual.

10. Lomax, p. 165.

11. Sprague, p. 106.



means. There were the cabins and the great houses of Texas, the sod house of Kansas, and the adobe house of New Mexico.<sup>12</sup> Because of this variety of types, houses will need discussion by areas, though many other factors which made up a ranch woman's life were the same everywhere.

Texas ranch houses varied greatly. The earliest were on ranches near the Gulf and the Mexican border and were rather pretentious places worthy of feudal estates. There was a great house related in type to the plantation homes of the deep south on the Kenedy ranch, established by Captain Mifflin Kenedy in the 1850's. Mexican influence prevails in the house on the San Ygnacio ranch between Laredo and Brownsville. This is a two-story house one-room deep with balconies. It was built in the 1870's. An example of Mexican brick work dating from mid-nineteenth century is the Carmen ranch house near Brownsville.<sup>13</sup> A typical ranch house evolved near San Antonio has been described as having been

rectangular, one room deep, two or three rooms long with a pitched roof extending over a porch or porches. The entire house was raised off the ground (not a dugout), but was never more than one story in height. Stone construction was used almost entirely, often stuccoed or whitewashed; shingle roofs and long porches across the front were further characteristics. There were fireplaces of stone, simple mantles, plastered and white-washed walls and ceilings of wide boards.<sup>14</sup>

In Northwest Texas, where materials were scarce, houses were even less pretentious. Pictures of Captain Doan's house at a crossing of the Red River show an adobe home with a long porch and fireplace, a shelter hardly adequate, which was in its day a stopping place for senators and governors as well as cattle men.<sup>15</sup>

In Western Texas and in the Panhandle a dugout was likely to be the first headquarters house of a new ranch. But women, then as now, objected to an underground existence.<sup>15a</sup>

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12. Carl Coke Rister, *Southern Plainsmen*. University of Oklahoma Press, Norman, 1938, pp. 58-69.

13. *Antiques*, 53: 439 (June, 1948).

14. *Texas*; American Guide Series. Hastings House, 1947, p. 152.

15. J. M. Hunter, *Trail Drivers of Texas*. Nashville, Tenn., 1925, p. 776.

15a. Perhaps, eventually, men will have to solve the problem of control of the atom bomb because women will simply refuse to live like moles in indefinite anticipation of atomic war.

One woman won this battle against an underground existence. The story goes that when Mrs. Henry Campbell, wife of a manager on the great Matador ranch, arrived at headquarters in 1878, she refused to live underground; so a two room shack was built from lumber hauled hundreds of miles from Fort Griffin to Palo Duro. The shack was called the "White House" because it was the seat of government of the cattle empire.<sup>16</sup>

Various headquarters houses on the 3,000 acre XIT ranch, also in the Panhandle, were comfortable frame homes, surrounded by cottonwoods, very unpretentious. A two-room cabin served as the first home of the Charles Goodnights, though a larger home, built later, is the one existing today. In contrast to these shelters for native Americans, a great stone house was built for Goodnight's Scotch partner, Adair.<sup>17</sup>

What of the women, when there were any, who inhabited these houses? Texans seem to have been most successful in establishing ranch homes in the 1860's and 1870's and most reticent in saying anything about them.<sup>17a</sup> Men have written world histories and in writing them have neglected women. Hunter's collection of short autobiographies, *Trail Drivers of Texas*, contains scattered references to wives and homes, along with a few eulogies. However, it tells us very little about what the women thought or how they fared. In the 1850's and through the early 1870's there was some danger of Indian raids. A woman could pack a gun. She could also brave the elements. Mrs. A. Burks, following the trail with her husband, says she did not have a difficult time. She liked camp, liked having the men in camp rival each other in finding delicacies for her.<sup>18</sup> A few women pictured in Hunter's volume flourished in the later period of range history, when Texas was rather less "hell on women," and seem always to have been materially well off. But these women, remember,

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16. Frank King, *Wranglin' the Past*. Trail's End Publishing Co., Pasadena, 1935, 1946, p. 85.

17. J. E. Haley, *Charles Goodnight, Cowman and Plainsman*. Houghton-Mifflin Co., 1936, p. 314.

17a. Perhaps Texans were actually less negligent in this matter than men generally.

18. Hunter, p. 29.

were the wives of the owners or managers of ranches, not of the hired men on horseback. Their history, however, is one part of our story.

Most famous among Texas ranch women was Mrs. Charles Goodnight, who was a favorite among cowboys throughout the Texas Panhandle. Mrs. Goodnight was a southern "lady" and remained so. She supplied tact and understanding when those qualities were needed. Even though the Goodnights were at one time very wealthy, they made no display of wealth. Mrs. Goodnight sat at a table with their cowboys and gave them berries she picked herself. Her home at the JA Ranch headquarters for some years was a two-room cabin. There were dugouts for the boys and a bunk house, a mess house, and corrals.<sup>19</sup> Of Mrs. Goodnight's isolation more will be said. Just now let us look at other ranch homes.

Charles Siringo mentions several such homes, among them that of Shanghai Pierce, by whose wife, Nanny, he had been mothered in his youth. From what we know of Shanghai Pierce's dominating personality and loud voice, we wonder whether Nanny ever raised her voice above a whisper. We can be quite sure she did not lack material comforts, Pierce having had a way of having money even when everyone else went broke, but all we really know of her is that she lived at Rancho Grande headquarters.<sup>20</sup> Siringo tells also of a trail boss who married a farmer's daughter he met on a trip and adds that, "The journey to the Panhandle of Texas was continued with a new girl cook to dish up the grub." For this girl for a while a range home was the whole great outdoors. Siringo himself, one of the greatest cowboys of them all, "retired to a town" during the years of his marriage.<sup>21</sup>

On a large ranch there were men cooks, and one does not often get a picture of an overworked wife slaving for the boys. We have, however, one account of Texas ranch life by the wife of a man not so prosperous. Mrs. Kruse, wife of a trail driver, speaks of having moved into a little vacant

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19. Haley, p. 314.

20. Charles Siringo, *Riata and Spurs*. Houghton-Mifflin Co., 1931, p. 11.

21. *Ibid.*, p. 43.

shanty near a spring in Hayes county, without either floor or chimney, chinked with mud which fell in when it rained. Her husband built a chimney and floored the house. His wife, meantime, baked thousands of biscuits for his trips up the trail.<sup>22</sup>

Colorado ranch houses might be of either type, the dug-out introduced by Anglo-Americans, or the adobe introduced by Spanish Americans. The far greater number of temporary ranch homes were crudely constructed dugouts. A dugout in flat territory, if built in a conventional way, consisted of a hole about four feet deep and walls built up about three feet with sod. A ridge pole was placed across the center and smaller poles were laid across these. On the poles were placed brush, a layer of sod, and then a layer of earth.<sup>23</sup> Even after permanent buildings of adobe or stone were provided, dugouts were still used as winter homes by line riders and stock tenders.

In New Mexico, Spanish influence and climate often led to the building of adobe dwellings by American settlers. Some of these houses are the precursors of what the present-day architect calls the "ranch-type" house. Among these are the house of the famous John Chisum near Roswell and the headquarters house on the WS ranch near Las Vegas. Chisum was a bachelor who kept a woman relative on the place to make it a home, so his establishment fits my definition. The house was long, low, rambling with long galleries. On pictures, it looks like a frame house, but it is an adobe one with wooden trim and picket fence. The furniture and everything in it, Chisum said, cost "a sight of money." But this, remember, was his acquisition after forty years of sleeping "on old mother earth's bosom." At any rate he made it a home to be remembered by giving an occasional big dance and making it generally known for hospitality.<sup>24</sup> This home, somewhat remodelled, still exists and is now the property of Cornell University.<sup>25</sup>

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22. Hunter, p. 16

23. *Texas*, American Guide Series, p. 154.

24. Poe, pp. 161-165.

25. *New Mexico*, American Guide Series. University of New Mexico, Albuquerque, p. 153.



Other men besides Chisum wanted the best in homes and home furnishings when fortune permitted. I have mentioned the Maxwell House, a very pretentious place with rich furnishings, whether the inmates thereof were happy or not. The Dorsey ranch near it was described in the *Las Vegas Gazette*, April 26, 1884:

The Ranch of Dorsey is a large unpretentious adobe building situated in a wide, shallow arroyo, bordered by cottonwood trees and surrounded by wire fence. Inside, the ranch is furnished magnificently, especially the parlor, Dorsey's sleeping room and the guest rooms for visitors, of which the house has several and which are in constant use. A piano stands in the sitting room, which also contains a well selected library and a completely appointed sideboard.<sup>26</sup>

Other homes were less pretentious. Mrs. Poe describes her own first home on the VV Ranch ten miles from Lincoln, New Mexico, a cabin the smallness of which at first dismayed her. "A room on the north, another on the south, with the kitchen between; all so low that even I, barely five feet two inches tall could stand upon a chair and touch the ceilings." Each room had but one window. However, there were pine planks on the floor because this was a log, not an adobe, cabin. Each living room had a large fire place, the kitchen a large wood-burning range with a large reservoir for water heating. There was a long table, for guests must always be fed.<sup>27</sup> Mrs. Poe mentions having seen other small ranch dwellings between Las Vegas and Roswell in 1883 and having wondered about the women who lived in them, for this section at this time was being divided into smaller ranches.

Agnes Morley Cleaveland describes the ranch home of a family that started out with some money. Her mother, widowed from her first husband, and soon to be separated from her second, built a ten-room ranch house on a side hill. There were gray shingles, white veranda pillars. Into it went a piano, wagon loads of books, some pieces of fine furniture brought from Iowa. Though the Cleaveland ranch was anything but prosperous at times, the cultured mother continued

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26. Quoted by Keleher, p. 139. A picture of the WS Ranch is in J. J. Cook, *Fifty Years on the Frontier*. New Haven, 1943, p. 162.

27. Poe, p. 217.

to create, somehow, a home in which English was correctly spoken, children were expected to go to college, and a feeling of family pride and solidarity prevailed.

Several accounts of the difficulties of bringing pianos across the desert for the cultural advantage of young daughters attest to the rancher's desire to maintain some culture and some of the graces of life in his Western home. He learned, too, to provide his wife with an excavated store room—a cellar to Northerners.<sup>28</sup> The average woman in an adobe dwelling wanted most of all a floor, and she got it. So, with a great effort, the women brought some of the amenities of life to the Southwest simply by insisting on having them. In fact, as nearly as one can tell from pictures and written accounts, they fared rather better than their sisters farther north in the 1880's.

In general plan the typical ranch headquarters of the Northwest was not so different from that of the Goodnights in Texas. Granville Stuart mentions "a few log cabins comprising a bunkhouse, a cook house, blacksmith shop, stable, corral, and hay land enough fenced to cut tons of hay."<sup>29</sup> Hough says that if a ranch house was very modern, it might have shingles, with a porch and veranda taking the place of the midway hall.<sup>30</sup> It might have a huge fireplace, a big "cannon" stove, and rough bunks lining the walls on either side.<sup>31</sup> Pictures of these ranches in the Northwest are depressing. Roosevelt's famous ranch in the North Dakota Bad Lands was no exception.<sup>32</sup>

An employee on a ranch often lived in a sod house, considered good enough for an "old batch." In the way of a dwelling he had very little to offer a woman. Suppose our man is a line-man working for an absentee owner. Emerson Hough describes his possible home:

Linecamps or out-dwellings for the men would still be of the old style—the walls perhaps of logs or sod, the roof being perhaps laid with rude half-tiles hollowed out of divided saplings and laid so that

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28. Mary Kidder Rak, *A Cowman's Wife*. The Macmillan Co., 1938, pp. 9-11.

29. Granville Stuart, *Forty Years on the Frontier*. Cleveland, 1925, II, 239.

30. Emerson Hough, *The Story of a Cowboy*. Appleton-Century, 1938, p. 39.

31. *Ibid.*

32. Briggs, p. 248.

they "broke joints," the edges of two convex ones fitted in the hollow of one concaved, so that the water would thus be carried off as it is on a tile roof so fitted. Over this might be a covering of small logs, willow boughs and grass, and over all, dirt.<sup>33</sup>

The homesteader's home was likely to be like this, too; a popular ballad asks for a girl to share "the little old sod shanty on my claim."<sup>34</sup>

At least one Montana ranch wife, young and possessed of a gay heart, has left us a record of the particular home she had, which she considered better than most. She had a log cabin and a spring house, which gave her perpetual running water, and extra tents for overflow cowboys and guests. This was in 1887. She wrote back home to Illinois:

You ask what I do with my washing. Why I wash it, iron it, wear it, and wash it again. I have every convenience, and I do not lift a pail of water or turn a wringer or clean up. We have splendid water under the spring house. My kitchen is large and I have no trouble providing for all the men by putting the two tables together. There is no need of furnishing napkins for G— and I and Ed are the only ones of the crowd who ever saw one. I made four cream pies and a cocoanut pie yesterday, and how quickly they vanished before the hungry boys.<sup>35</sup>

If the Southern ranch wife was better off in the matters of housing and climate, the Northern woman could more easily provide a balanced diet for her family. The Montana ranch woman mentioned above said that she had plenty of milk and eggs, that neighbors brought potatoes and other vegetables, that meat included beef, antelope, rabbit, wild turkey, chicken, and venison. She mentions a dinner of hot biscuit (she had baking powder and white flour), and venison steak, tomatoes, cream pie and coffee. She added happily that her guests "thought they would call again when they got hungry."<sup>36</sup>

On the ranches of the Southwest little food was grown, so a woman had to work harder to accomplish less in a culinary way. A New Mexican diet was likely to consist of meat,

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33. *Ibid.*, p. 346.

34. Lomax, p. 405.

35. William M. Thayer, *Marvells of the West*. Henry Bill Publishing Co., Norwich, Conn., 1888, p. 608.

36. *Ibid.*, p. 615.

potatoes, beans, sow-belly (salt pork), dried fruit and canned goods. Cakes were baked somehow for parties, eggs or no eggs. The woman who could bring around a recipe for an eggless cake was a blessing to her neighbors, for eggs were rare. We hear of "jerky"—a kind of home-dried beef the beginnings of which do not sound appetizing. Indians from Santa Fe sometimes peddled fruit to settlers farther south.<sup>37</sup>

In Texas and on the Southern Plains generally cornbread and molasses were staples of the diet, as were also bacon and beans. White flour was a luxury anywhere, costing as much as \$25 a barrel or more.<sup>38</sup> In summer, camp fires provided a good means of cooking. Bread could be baked in a Dutch oven and corn pones on heated rocks of the hearthstone.<sup>39</sup> Women soon learned to bake sour-dough biscuit, a masculine invention born of necessity.

About clothes the range woman was chronically conventional and feminine. She persisted in wearing what were then considered lady-like clothes, even when these clothes were clumsy and out of keeping with the life she led.<sup>40</sup> She wore a skirt and rode side-saddle, or she split the skirt moderately if she straddled her horse. She made clothes if the nearest store offered any cloth. The Sears-Roebuck catalog kept her fairly well informed about style—Sears-Roebuck version. (In fact, the catalog took the monotony from many a quiet evening with the family and so contributed much to the stability of home life on the range.)

Sophie Poe tells of a visit from a younger sister from Illinois, who brought the first bustle to one section of New Mexico in the 1880's. Sister's bustles were stuffed with old newspapers, but since newspapers were rare in New Mexico, wire contraptions were soon concocted to make the bustles bustle properly.<sup>41</sup> The Western woman did not want her clothes to be different from those of her Eastern sister. She just had a harder time coming by the latest fashions, and

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37. Cleaveland, pp. 159-164.

38. Hunter, p. 876.

39. Rister, pp. 74-75.

40. Look Magazine's volume of pictures, *The Santa Fe Trail*, shows styles of the West.

41. Sprague, p. 175.



she was likely to have too much sewing to do for the children to worry about her own dress.

Another function of the pioneer ranch home was nursing the sick in one's own or a neighbor's family. The subject is worth a paper in itself, so I shall mention here only a few of the remedies that might be administered. To purify the blood, there were sulphur and molasses, sassafras and sage tea. For snakebite one used chicken entrails, if one had the chicken, to draw out the poison. Wet earth served for bites and stings, sunflower seed soaked in whiskey for rheumatism.<sup>42</sup> There are tales of using whiskey for smallpox (it killed), and tobacco (Bull Durham) and onion leave for gangrene (it cured.) In addition, the endless patent medicines were on the home shelf. Every household felt its responsibility to a neighbor in times of illness, for doctors were few and usually far away.

Nor were women the only dispensers of remedies in a ranch home. When a woman was ill, we are told, cowboys brought every kind of kill-or-cure medicine they had ever used for anything.<sup>43</sup> Why more people did not die from the cures I do not know, except that range constitutions were strong. Suffice it to say here that these attempts at doctoring evidence the feeling of responsibility for one's neighbor which was a definite part of ranch life.

So much has been said about the hospitality of the ranch home that more seems superfluous. Everyone knows about cowboy dances, in hall or home, to which men and women rode fifty miles, each woman bringing a cake and possibly carrying a fresh dress in a flour sack attached to her saddle. There was also the day-to-day hospitality which might necessitate the preparing of three dinners in one day if friends or strangers happened in in sequence and not simultaneously.<sup>44</sup> Friend or stranger or even enemy, whoever happened by, had to be fed.<sup>45</sup>

Whether the ranch woman really worked with cattle depended on the circumstances and the woman. If she were

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42. Cleaveland, pp. 146-148.

43. Rollins, p. 73.

44. Ross, p. 174.

45. Thayer, p. 610.

alone, a widow possibly, she might have had to do so. Sometimes she did so from choice.<sup>46</sup> Usually she was not expected to do rough work, but emergencies might demand it.<sup>47</sup>

Children on the range were financial assets. At an early age, fourteen or younger, a boy could rope a steer. Even younger children could ride many miles for mail or to deliver messages. Children could spot a maverick or a cow ear-marked but not branded and could report cows that had "bogged down." The average ranch home was a good home for a child, partly because he was an economic asset rather than a liability, as he or she sometimes is in our cities. Such a child took responsibility young, but he also felt secure and "wanted" in his home. Nor was a ranch child likely to be nagged or over-protected. A boy might stay away from home all day.<sup>48</sup> He might have said, like Robert Frost's farmer, "Home is the place where, when you have to go there, they have to take you in." At any rate the ranch child learned early to be observing and to rely on himself.

Much—possibly too much—has been said of the loneliness and trials of range life. Careful dating is necessary in any account of such hardship and loneliness on the frontier. Some of our earliest accounts of frontier life were written by wives of army men and by travelers. In Texas the Rangers preceded the ranchers. The account of experiences of an army wife on the Santa Fe Trail in 1847 by Susan Magoffin, though illuminating, is not a ranch woman's experience.<sup>49</sup> Nor is the diary of the beautiful and ill-fated Narcissa Whitman,<sup>50</sup> wife of a missionary to the Indians, representative of a ranch wife's experience. Pamela Mann, famous for having put General Houston in his place, was the aggressive hotel manager produced by a boom town.<sup>51</sup> Though accounts of these women give some picture of life in the West, they be-

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46. Cleaveland, p. 26.

47. Mary Kidder Rak, writing of life on an Arizona ranch in the 1900's, says she preferred work with cows to indoor work.

48. Cleaveland, pp. 103-104.

49. Susan Magoffin, *Down the Santa Fe Trail*. Ed. by Stella Drum. Yale University Press, 1926.

50. Bernard de Voto, *Across the Wide Missouri*. The Houghton-Mifflin Co., 1947, p. 252.

51. Frank J. Dobie gives an account of her in *The Flavor of Texas*. Dallas, 1936.

long to days earlier than the great days of the range. Not that hardship, loneliness and danger were not real in ranch history. They were so. But our range country developed so fast that in making any generalization one must know whether one is talking about the 1860's or the 1890's and whether the date was early for a given section.

In early days in any section some women were likely to be alone for long periods of time. Mrs. Charles Goodnight was almost entirely alone for six months in 1876-77, her nearest neighbor having been seventy-five miles away. Mrs. Thomas Bugbee, also of the Texas Panhandle, had a similar experience.<sup>52</sup> Mrs. M. Looscan, an early settler in Texas, considered that the strength needed in the early days was against "invisible" danger—just a fear of what might happen with no one near.<sup>53</sup> Agnes Morley Cleaveland comments, "It was this deadly staying at home month in and month out keeping a place of refuge for their men when they returned from their farings forth that called for the greater courage, I think."<sup>54</sup> She cites the example of a Mrs. Eugene Manning, alone with a small son for many months. Sophie Poe mentions lack of company in her first ranch winter, except for her dog and an occasional visit to her nearest neighbor, Mrs. Pat Garrett, a Spanish-American woman with whom she could not speak.<sup>55</sup> Even a man could be long without company of his own type. May Rhodes quotes her husband: "For years I was the only settler in a country larger than the state of Delaware."<sup>56</sup> But these days passed. Mrs. Nannie Alderson, who had minded being left alone at roundup time in 1883, says that by 1906 in Montana "loneliness was a thing of the past."<sup>57</sup>

Whatever may have been the experience of the earliest settlers (Narcissa Whitman was apparently breaking under the strain before the Indian massacre), one hears very lit-

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52. Haley, p. 459.

53. Mrs. Looscan is quoted in D. G. Wooten, *A Comprehensive History of Texas*. Dallas, 1938, p. 649.

54. Cleaveland, pp. 156-157.

55. Poe, p. 221.

56. May D. Rhodes, *The Hired Man on Horseback*. Riverside Press, Cambridge, 1938, p. 27.

57. Nannie Alderson, *A Bride Goes West*. Farrar and Rinehart, 1942, pp. 59, 271.

tle of mental difficulties brought on by loneliness in later years. One reason is that the woman who went west was a young woman full of optimism. Ranch life was hard—yes. But the West was developing so rapidly in the 70's and 80's that by the time the thrill of newness and the enthusiasm of youth had worn off, the nearest neighbors were closer. Children, too, contributed to the sanity of their mothers. Just try brooding over your state some day with a four-year-old child around! Again be it remembered, a ranch woman gained security from the esteem in which she was held. All sources agree that after the danger of Indian attacks had passed, a woman was safe in the Cattle Country. Though now and then a stranger or a pilfering Indian might give rise to some real apprehension, a ride across the average ranch in 1889 was probably safer from masculine interference than a walk down a big city's street on an evening in 1950.

To a woman's sense of importance and security in the West may be attributed the Western woman's early interest in Women's Rights,<sup>58</sup> paradoxical as that statement may sound. For one thing, the Western woman wanted a better world and was trying to build one. For another, operating socially as she did in a "seller's market," she could afford to think and talk independently without danger of losing favor with the men in her social group. So in the later days of range history ranch women took active interest in things outside their family and neighborhood circles. That all this made her home happier would be hard to prove. One can say there is more companionship where people can talk things over on a more equal basis. However, one simply cannot measure the spiritual and social qualities of a home as one can its physical dimensions. In general, what broadens the interests of any member of a family, if it can be shared, makes for good human relations; but in the ranch family good human relations had always existed—or else the men and women who were poorly adjusted to their environments just did not write memoirs.

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58. Anne Ellis tells about this early interest in *Plain Anne Ellis*. Houghton-Mifflin, 1931, pp. 188-194.

Family life on the range was likely to be stable—if there was money. This sounds mercenary. However, in reading of pioneer families generally, one finds that the unstable ones were those in which money and goods needed for some measure of security were absent. A woman might look for a better provider for her children. A man might get into a shooting fracas and just leave. But usually there were family stability and tranquility. Ranch families belonged to a stable class. In Colorado, for example, people like the Iliffs and the Snyders were a conservative, almost puritanical, element in the population. They were people of good social standing, interested in schools and roads and in their own and their neighbor's children. Perhaps the most characteristic thing of them is that they had time to help each other and in doing so contributed to their individual and family well-being.



## THE GADSDEN PURCHASE LANDS

By J. J. WAGONER

THE problem of dividing the range into profitable units has existed in Arizona since the open grasslands commenced to be overcrowded. The old policy of grazing out the range and moving on had become impossible by the 80's. Permanent location and the opportunity to develop necessitated proper land legislation. Unfortunately, the federal land laws were based upon an arbitrary, eastern-conceived number of acres rather than upon the possibilities of utilization and production.<sup>1</sup> Though the rancher in a semi-arid region usually required at least four sections to adequately support his family, no provision for the acquisition of the requisite amount was ever written into a federal statute.<sup>2</sup>

Whenever possible, Arizona cattlemen obtained legal control of ranch holdings and fenced the area. However, investment in land valued from a few dollars to fifty or more was not extremely attractive,<sup>3</sup> so a more common procedure involved staking a water claim and using the surrounding open range lands. The Homestead Act of 1862 provided for the free distribution of 160-acre farms, which ultimately caused the break-up of the cattlemen's open range. Yet it furnished immediate basis for securing grants along natural streams and consequently control over adjacent lands.<sup>4</sup> Large organizations frequently arose when cowboys took homesteads and transferred them after five years to their employers.<sup>5</sup>

Additional land was obtainable under the Timber and Culture Act of March 13, 1873, which was a variation, not a modification, of the Homestead Act.<sup>6</sup> Supposedly, title to

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1. A. B. Hart, "The Disposition of Our Public Lands," *Quarterly Journal of Economics*, I, No. 2 (January, 1887), p. 182.

2. John W. Powell, *Report on the Lands of the Arid Region*, 2nd. ed., pp. 23-24.

3. *Arizona Citizen*, September 25, 1875.

4. *12 Statutes at Large*, p. 392.

5. Clare M. Love, "History of the Cattle Industry in the Southwest," pt. 2, *Southwestern Historical Quarterly*, XX, No. 1 (July, 1916), p. 7.

6. *17 Statutes at Large*, p. 605.

one-quarter section was granted in return for the cultivation of forty acres of timber over a period of ten years. But it was impossible to legislate forests into the arid regions, and by judicious fraud the Act was made just another means of increasing the size of land holdings.<sup>7</sup>

By 1875 the need for liberality in the disposition of Western land was obvious. President Grant recommended the enactment of laws recognizing the limitation of certain arid lands for pasturage.<sup>8</sup> Two years later, on March 3, the Desert Land Act became a statute,<sup>9</sup> the initial modification of the land system in the interests of cattlemen in southern Arizona. The increase of the number of acres to 640 was definitely a concession, and the requirement for irrigation within three years and the payment of \$1.25 per acre presented only temporary obstructions.

The desert entry was profitable to stockmen since it could be held three years for twenty-five cents an acre. According to the 1877 report of the Surveyor-General of Arizona, nearly a hundred declaratory statements had been filed under the Act by October, actual residents of the territory comprising the majority of applicants. The early grantees in Pima County included several erstwhile pioneers, namely Thomas and Samuel Hughes, E. N. Fish, A. P. K. Safford, Franklin and Don A. Sanford, and Sabino Otero.<sup>10</sup> To fully conform with irrigation provisions, such honest settlers and ranchers were often compelled to take their land in zigzag shape, thereby confining it to the proximity of streams. One claim on unsurveyed lands, for example, had forty-four corners.<sup>11</sup> But on October 1, entries were temporarily suspended and

7. Walter P. Webb, *The Great Plains*, p. 412.

8. *Congressional Record*, 44 Cong., 1 Sess., pt. 1, p. 32.

9. *Statutes at Large*, p. 377. By 26 *Statutes at Large*, p. 391, only 320 acres could be acquired.

10. *Arizona Citizen*, August 11, 1877. The first twenty-four locaters and the quantities of land received are as follows: John Moore 640 acres; Thomas Hughes 320; Samuel Hughes 280.21; E. N. Fish 640; James Southerland 160; S. A. Parkinson 320; J. P. Cramer 160; R. A. Wilbur 640; J. C. Handy 640; Pedro Aguirre 640; Thomas Elias 640; Juan Elias 320; Sabino Otero 640; A. P. K. Safford 640; S. R. DeLong 640; W. B. Coyle 640; William Eustis 640; Franklin Sanford 639.64; Don A. Sanford 640; Thomas Driscoll 640; H. B. Govern 640; F. Maish 640; C. M. Bullard 640; and Alvan Smith 640 acres.

11. *Ibid.*, October 27, 1877.

investigations were made to determine and set aside lands which were strictly agricultural.<sup>12</sup>

Of the first twenty-four claims, six were disallowed because they were located on Mexican land grants.<sup>13</sup> Charles D. Poston, Registrar at the Florence land office, was informed by J. A. Williamson, Commissioner of the General Land Office, in a letter dated August 9, 1877, that section eight of the Treaty of Guadalupe Hidalgo must be enforced;<sup>14</sup> squatters on the Arivaca grant were to be apprised of their inability to secure titles under the public land laws.

Not the least benefactors of the law were speculators. United States Surveyor-General of Arizona, John Hize, wrote in 1887 that perjury was frequently committed and that certain parties obtained as much as four to five thousand acres under the law by illegal methods.<sup>15</sup> Their schemes were difficult to counteract, since they fulfilled the requirements of the land offices in filing application and paying twenty-five cents per acre down. By 1887 no less than half the claimants who had taken up 405,797 acres in the Gila land district were non-resident speculators. Out of 199,026 acres filed upon during the fiscal years 1885-87, for example, 113,178 acres went to people who resided outside the territory.<sup>16</sup>

The frauds as to reclamation of the desert lands easily became the rule rather than the exception. Some idea of the preference for desert land entries is indicated by the official reports of the United States Land Office at Tucson. The area of public lands entered and selected in the southern district for the year ending June 30, 1890, totaled 118,692.79 acres, of which over half, 62,589.53 acres, was contained in desert land entries. Lands pre-empted, 22,900 acres, and homestead entries, 21,199.26 acres, were followed by 11,779.63 acres

12. *Ibid.*, October 13, 1877.

13. *Ibid.*, August 25, 1877. The six claimants were Wilbur, Handy, Aguirre, Thomas and Juan Elias, and DeLong.

14. See 9 *Statutes at Large*, p. 929. Article VIII of the February 2, 1848, treaty provided that property belonging to Mexicans in ceded territories must be inviolably respected. Also see 10 *Statutes at Large*, Art. V, p. 1035 whereby Article VIII was made applicable to the Gadsden Purchase area.

15. "Report of the Surveyor-General of Arizona," *Report of the Secretary of Interior*, 1887-1888, p. 604.

16. *Ibid.*, p. 605.



of timber-culture lands and only 226.37 acres of mineral lands.<sup>17</sup>

Obviously, modification of the law was inevitable and in August, 1890, the amount of land which one person could acquire was reduced to 320 acres.<sup>18</sup> The following year another proviso stipulated that improvements equal to \$3 per acre (\$1 per year for three years) for reclamation purposes must be added, that one-eighth of the entry should be put under cultivation, and that only residents of the state or territory where the land was situated had the privilege of entry.<sup>19</sup> Needless to say, speculation tended to decline.

Sometimes, however, the cattle barons themselves retarded settlement under the land acts by enclosing large areas with barbed wire fences. They chose the best-watered sites and left no gates; the land was "their range" and late comers were treated as intruders.<sup>20</sup> It was not until February 25, 1885, that Congress prohibited all enclosure of the public domain except under a title legally applied for.<sup>21</sup>

There were many violations of the law as cattlemen attempted to resist the settler and small stockman. J. S. Hansford was one of many who were prevented from residing on their homestead entries by ranchers. Judge William Walker, Acting Commissioner of the General Land Office, advised him in September, 1885, to inform the United States District Attorney and seek remedy in the county and state courts.<sup>22</sup>

Other settlers were more aggressive. In June, 1893, the four-mile fence erected by Colin Cameron for the Calabasas Company was cut down; the fence was on the south side of the land grant and encompassed what many dissident citizens of the Nogales area considered to be public domain.<sup>23</sup> Apparently the company had fenced land originally claimed under the Calabasas grant from the Mexican Government; yet much of the land had been wrested by the courts and transferred to the public domain.<sup>24</sup> Consequently, in March, 1899, Mr. S. J. Holzinger, special agent for the General Land Of-

17. *Report of the Governor of Arizona to the Secretary of Interior*, 1890, p. 8.

18. *26 Statutes at Large*, p. 391.

21. *Exec. Doc. 166*, 49 Cong., 2 Sess., p. 1.

19. *Ibid.*, p. 1096.

22. *Arizona Daily Star*, September 17, 1885.

20. Love, *op. cit.*, pp. 4-7.

23. *Tempe News*, June 10, 1893.

fice of the Department of Interior, notified Messrs. Cameron, Wise, *et. al.* in the vicinity of Nogales, Calabasas, and along the Santa Cruz to remove their illegal fences within sixty days.<sup>25</sup> Thus a victory over the large land grabbers was attained.

Quite often the lack of fences created problems relatively as great. Friction between the commanding officer of Fort Grant and cattlemen of the locality illustrates the point. Since no fence surrounded the reservation, cattle frequently strayed over the boundaries for water or grass and soldiers invariably chased them away. The officer in charge even threatened to have the animals shot, and several were. The infuriated ranchmen sought redress, arguing that the government should construct a fence; but their protestations were in vain.<sup>26</sup>

The lack of fences likewise accentuated quarrels between cattlemen and sheepmen because no authoritative method of limiting their respective ranges existed. The rapid settlement of southern Arizona in the 80's and 90's was accompanied by a limitation of the public domain adapted for grazing. With no written law covering the subject, a tacit recognition of range rights, based upon occupation and improvement, had arisen. Yet encroachments by sheepmen upon established cattle ranges was inevitable, and technically all classes of livestock were equally entitled to the untaxed public domain.

Nevertheless, it seemed unjust for sheepmen to be permitted the privilege of driving their flocks from the northern to the southern portion of the territory during the winter months.<sup>27</sup> The short invasions proved most destructive to the cattle ranges, be they titled or merely possessory. Consequently, a demand began in the late 1890's for the governmental control of grazing on the public domain and the protection of the equitable rights of all concerned.<sup>28</sup>

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24. *Oasis*, February 18, 1899.

25. *Ibid.*, March 25, 1899.

26. *Ibid.*, August 20, 1898.

27. *Message of Governor N. O. Murphey to the Twenty-first Legislative Assembly of the Territory of Arizona*, January 23, 1901.

28. Report of the Governor, *op. cit.*, 1899, p. 14.

But before continuing with the story of the distribution and control of the public domain, it seems feasible that the concomitant national policy in regard to the Mexican land grants should be related. The grants in the territory were less numerous than in New Mexico or California, and were confined to southern Arizona.

As in all other territorial acquisitions of the United States, the question of the validity of land titles was involved in the Gadsden Purchase. In Article V of the Gadsden Treaty (signed at Mexico City on December 30, 1853, and proclaimed June 30, 1854), the United States was bound to recognize the validity of all land titles.<sup>29</sup> However, the next article provided that the titles must have been recorded in the archives of Mexico; and a Mexican law of November 14, 1853, had declared null all alienations of public lands made by the states and departments.<sup>30</sup> Obviously, the law was passed in anticipation of the sale of northern Sonora to the United States, and to remove objections which that nation might have to large holdings granted in the area by the State of Sonora to Mexican citizens. At least the law was repealed within a year after the signing of the Treaty.

In 1873, Mr. Rufus C. Hopkins of the Interior Department made a full examination of the Mexican archives for official registers of land grants made by the Mexican Government in Arizona. The territory north of Zacatecas was judicially subject to the *audiencia* of Guadalajara, but no documents relative to the lands were found in that city; however, the desired information might have been destroyed in the conflagration of 1858 (or 1859).<sup>31</sup>

Eventually the status of all the southern Arizona grants was determined by Congressional confirmation or rejection, though in some cases the titles were so complicated and questionable as to require ultimate adjudication by the Supreme Court. In 1854 the office of the Surveyor-General of New Mexico, which then included Arizona, was established and assigned as one of its principal duties the investigation of

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29. 10 *Statutes at Large*, p. 1035.

30. *Arizona Citizen*, March 25, 1876.

31. *Sen. Exec. Doc.* 3, 43 Cong., 2 Sess., pp. 1-6. A search of the archives of Spain might have resulted in locating the documents.

the Mexican land claims.<sup>32</sup> Similarly, in 1870, it became the function of the Surveyor-General of Arizona, then John Wason, to check these claims and report upon their validity to the Secretary of Interior, who in turn submitted the reports to Congress.<sup>33</sup>

After commencing his work in 1879, the Surveyor-General learned that the majority of grants had been abandoned as worthless by the original grantees for periods of ten years or more, and that speculators, mainly from California, had traced down the heirs and purchased their rights for practically nothing.<sup>34</sup> By 1888 the Surveyor-General had examined and reported favorably on thirteen of the grants and unfavorably upon two.<sup>35</sup> Finally in 1891 the whole subject was referred to a specially created Court of Private Land Claims, which assumed jurisdiction over titles originating under the authority of Spain or Mexico.<sup>36</sup> The court completed its work in 1904, having confirmed 116,540 acres of land out of 837,680 acres claimed.<sup>37</sup>

The legal procedure for each claim was too involved to be adequately discussed here.<sup>38</sup> However, the final settlements made by the Court of Private Land Claims and the United States Supreme Court were important in the organization of large ranch units in southern Arizona. The grants which were left intact became the largest titled properties in the territory, and large squatter establishments on the lands rejected by the courts were also given secure titles. On the disallowed San Rafael del Valle claim, for example, the titles of the Packard, Greene, and Lewis Springs ranches were settled.<sup>39</sup>

Validity of Baca Float number three was not determined until later. Homesteaders who had entered the grant were benefactors of paternalistic legislation, since settlers evicted

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32. 10 *Statutes at Large*, p. 308.

33. 16 *Statutes at Large*, p. 304.

34. "Report of the Surveyor-General of Arizona," *op. cit.*, p. 606.

35. *Sen. Exec. Doc. 93*, 48 Cong., 1 Sess., p. 158.

36. 26 *Statutes at Large*, p. 854.

37. *Ibid.* In Appendices I and II will be found a detailed list of the grants, their location, claimants, as well as area claimed, confirmed, and rejected.

38. *Annual Report of the Attorney-General of the United States for the Year 1904*, *House Doc. 9*, 58 Cong., 3 Sess., p. 109.

39. *Tombstone Epitaph*, April 1, 1894.



by the local courts were authorized to select "in lieu" lands twice the area of the land entries made prior to December 13, 1917.<sup>40</sup>

Meanwhile, by the early 1900's, several bills had been introduced in Congress to provide for the leasing and fencing of the public domain; but they failed in passage because no adequate classification of lands had been made to distinguish grazing from farming lands. In December, 1905, President Theodore Roosevelt urged Congress to increase the size of homesteads so that a family might be sufficiently supported.<sup>41</sup> The Enlarged Homestead Act of 1909 modified the act of 1862;<sup>42</sup> yet the 320-acre entries simply furnished an additional bad effect on range management in that the number of small units, uneconomical for grazing purposes, was increased.

It was not until 1916 that Congress recognized the existence of the cattle industry in the West. Until the Grazing Homestead Act was passed, not a single land law had favored the cattleman.<sup>43</sup> But the 640-acre maximum entry was still too small. The arid, non-irrigable land obtainable had only a carrying capacity of about thirty head to the section. Most stock raisers considered at least one hundred cattle necessary for a competent living. Thus southern Arizona cowmen were presented with another law based upon a fundamental economic error.<sup>44</sup> As the grazing homesteader selected the best lands, his activities drove out the open-range cattlemen who had become adjusted to arid conditions.<sup>45</sup>

With no control over the public range nor means of determining grazing rights of the occupants, the stock raising industry had become a struggle for existence. National legislation was definitely necessary to prevent the gradual destruction of the range through overgrazing, and to build up

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40. 42 *Statutes at Large*, p. 108; 44 *Statutes at Large*, pt. 2, p. 299.

41. *Congressional Record*, 59 Cong., Spec. Sen. Sess., XL, pt. 1, p. 100.

42. 35 *Statutes at Large*, p. 639 *et. seq.*

43. 39 *Statutes at Large*, p. 362 *et. seq.*

44. Anonymous, "The Public Domain and the Stock-Raising Homestead Law," *American Forestry*, XXIII, No. 280 (April, 1917), p. 243.

45. E. O. Wooton, "The Relation of Land Tenure to the Use of the Arid Grazing Lands of the Southwestern States," U.S.D.A. *Bulletin* No. 1001 (February 23, 1922), p. 48.

its carrying capacity through regulated use. For ten years or more prior to the inception of the Grazing Homestead Act, the Arizona Cattle Growers' Association consistently advocated the administration of the public domain under federal control similar in operation to supervision of the national forest by the Forest Service.<sup>46</sup>

The letter of Governor George W. P. Hunt to President Coolidge, dated April 9, 1926, expressed the desires of another group regarding the public domain. Though a considerable portion of the remaining unreserved lands was practically worthless, it seemed unjust to Hunt that it be kept in possession of the Federal Government for the maintenance of nonproductive clerks rather than the state tax rolls.<sup>47</sup> But the first national law to provide for regulated control of the unappropriated grazing lands and for diversion of certain revenues derived therefrom to the states was the Taylor Grazing Act of June 28, 1934.<sup>48</sup> The stated purpose of the bill is

to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

In order to achieve these goals, grazing districts were to be established. Permits to graze livestock thereon would be issued to stock owners (preference to contiguous owners of land or water rights) entitled to participate in the use of the range, upon the payment annually of reasonable fees based upon the carrying capacity. Permits were granted up to ten years, renewal being subject to the discretion of the Secretary of Interior. Fences, wells, reservoirs, and other needed improvements could be constructed within the grazing districts. In fact, twenty-five per cent of all fees received is

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46. Dwight B. Heard, "The Public Range and Present plans for its Control," *Proceedings of the Ninth Annual Meeting of the Arizona Cattle Growers' Association*, 1916, p. 65.

47. *Congressional Record*, 69 Cong., 1 Sess., LXVII, pt. 7, pp. 7362-64; see also *Message of Governor George W. P. Hunt to the First Regular Session of the Eighth Arizona Legislature*, January 10, 1927, p. 30.

48. 48 *Statutes at Large*, pt. 1, pp. 1269-75; amended by 49 *Statutes at Large*, p. 976 and 53 *Statutes at Large*, p. 1002.

expended for range improvement, 12½ per cent being allocated to the counties where the fees are collected.

During the year 1935 no permits were issued Arizona stockmen because no land classification had been made by which the commensurate value of properties could be determined. However, temporary licenses subject to revocation by the Secretary of Interior were provided.<sup>49</sup> Gradually ten-year licenses were introduced.

Arizona ranchers were particularly interested in Section 15 of the Act, and also in General Land Office Circular Number 1336 regarding the leasing of federal lands. No application was accepted for less than 640 acres or more than 3,840 acres and only land adjoining patented land was leased.<sup>50</sup> All isolated tracts not included in grazing districts were leased to contiguous owners, or sold to highest bidder if not in excess of 760 acres. The grazing fee rate in grazing districts in Arizona from 1935 to May 1, 1947, was five cents per animal unit per month.<sup>51</sup> The Bureau of Land Management in Phoenix, which has control over the grazing lands covered by Section 15, uses a formula based on the carrying capacity of grazing lands to determine fees. Thus the rancher is not compelled to overgraze to secure the full value of his rental.

A popular feature of the Taylor Grazing Act is the diversion of fifty per cent of the fees returned to the state for the benefit of the counties in which the lands are situated. Though most southern Arizona counties are either outside or only partially within grazing districts, they receive some remuneration.<sup>52</sup> In 1940, an average year, the following amounts were returned to them: Pima \$1,626.00; Cochise \$880.00; Santa Cruz \$2.50; Maricopa \$1,482.00; Graham \$299.00; Pinal \$3,305.00; and Yuma \$671.00.<sup>53</sup>

Another commendable innovation was the McCarron amendment signed by the President in July, 1939. Authority for the first time was delegated to a local Advisory Board of

49. *Weekly Market Report and News Letter*, XIV, No. 21 (May 28, 1935).

50. *Ibid.*, XIII, No. 37 (September 25, 1934).

51. Letter from Ed Pierson, Regional Chief, Division of Range Management, to the writer, April 15, 1949.

52. *Ibid.*

53. *Ibid.*

five to twelve stockmen in each district who cooperate with a wildlife representative.<sup>54</sup> It can certainly be said that the administration of Taylor grazing lands has been less controversial than that of state lands in Arizona.

The allocation of certain federal lands to the states for educational purposes and for essential public improvements has been laudable; yet the designation of scattered sections has not been conducive to efficient administration or wise range management. Sections sixteen and thirty-six were reserved to the territory of Arizona for the benefit of schools;<sup>55</sup> unfortunately, no revenue was to be received therefrom before statehood. In 1895, Governor L. C. Hughes estimated that the territory was thus being deprived of \$75,000 to \$100,000 annually.<sup>56</sup>

On April 7, 1896, however, the Governor, Secretary, and Superintendent of Public Instruction were authorized, pending enactment of a leasing law, to lease school and university lands under rules prescribed by the Secretary of Interior.<sup>57</sup> Finally, on March 18, 1897, the Territorial Legislature provided for the leasing of school lands. Squatters who had made improvements were given a preferred right. Anyone paying annually up to 2½ per cent of the assessed valuation was entitled to a lease for a term not exceeding five years, or until the admission of the territory as a state.<sup>58</sup>

The Enabling Act, approved June 20, 1910, added Sections 2 and 32 to the state lands.<sup>59</sup> Where any of the designated sections were appropriated, other lands of equal value could be selected "in lieu" thereof. In cases of lands embraced within national forests for which the option of indemnity selection was not exercised, the state received twenty per cent of the gross proceeds.<sup>60</sup> Land could be auctioned but for not less than three dollars per acre.<sup>61</sup> Furthermore, no

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54. *Weekly Market Report and News Letter*, XVIII, No. 33 (July 25, 1939).

55. *12 Statutes at Large*, p. 665.

56. *Report of the Governor, op. cit.*, 1895, p. 28.

57. *29 Statutes at Large*, p. 90.

58. *Revised Statutes of Arizona*, 1901, pars. 4032-4053, pp. 1015-19.

59. *36 Statutes at Large*, pp. 572-573.

60. *Ibid.*, p. 574; also *Revised Statutes of Arizona*, 1913, par. 4567, p. 1478.

61. *Constitution of the State of Arizona* (annotated and copyrighted by the Department of Library and Archives, July, 1939), Art. X, sec. 5, p. 65.



more than 640 acres of grazing land could be purchased by one individual.<sup>62</sup> Pending sale, land could be leased as the state legislature prescribed.

By legislative act of 1912 the Land Commission was authorized to lease state land for a term not exceeding five years, the minimum charge being set at three cents per acre.<sup>63</sup> The limitation of 640 acres to a lease was cleverly evaded by various means.<sup>64</sup> Investigation of the Commission disclosed many fraudulent practices on the part of individuals who were speculating in school lands. Perhaps the commonest, though not the most reprehensible, was sub-leasing without written consent at exorbitant profit. Sometimes holders of territorial leases would not apply for a permit for the further occupancy of the land subsequent to the territory's admission, but continued to exact the stipulated rent from sub-lessees.<sup>65</sup> Fictitious names, or dummies, were also frequently-used devices.

However, neither the Constitution nor the Enabling Act of the state of Arizona made definite provision for the classification of state lands or for the determination of rentals on them. Under the territorial system and during thirteen months of the Commission's existence, rentals were determined by the boards of supervisors. As a result, great inequality existed among counties of the state, since virtually no attempt at classification had been made.<sup>66</sup> But the land code of 1915 invested in the Commission the power to classify lands that had been selected, as grazing, agricultural, timber, or irrigable.<sup>67</sup> The amount of minimum rental was again affirmed to be three cents per acre payable annually in advance on leases made for ten years with preferred right of renewal.<sup>68</sup>

Occasionally the State Land Commissioner has found it

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62. *Ibid.*, sec. 11, p. 66.

63. *Revised Statutes of Arizona*, 1913, par. 4567, sec. 12, p. 1480.

64. *Arizona Range News*, July 5, 1918.

65. *Report of the State Land Commissioner of Arizona to the Governor of the State* (June 6, 1912 to December 1, 1914), p. 54.

66. *Ibid.*, p. 56.

67. *Acts, Resolutions, and Memorials of the Regular Session, Second Legislature of the State of Arizona*, 2 spec. sess., 1915, Chap. 5, sec. 15, pp. 19-20.

68. *Ibid.*, sec. 32, p. 25.

imperative to change the rental charged.<sup>69</sup> The Commissioner in 1933, Mr. Howard T. Smith, for example, called in each lease to make a notation thereon that for the two years June 14, 1933, to June 14, 1935, a reduction from three to 1½ cents per acre would be effective.<sup>70</sup> The plight of stockmen had forced the decision of the Land Commission. Similarly, the county assessors in a meeting at Globe the previous December had set a one dollar acre maximum valuation on private lands. However, the assessors were slower than the Commission in reducing the valuations, and consequently the taxes, in several counties.<sup>71</sup>

Arizona cattlemen commended the Commission for recognizing the suffering prevalent in the industry; yet the commission showed dissatisfaction in the inelasticity of the rental system, since no set figure was equitable considering the vast differences in the value of the range. They recommended reclassification of state land and the establishment of charges based thereafter on the carrying capacity of individual sections, as well as on the prevailing beef market—the two factors determining the degree of fluctuation of rentals between definite minimum and maximum limits.<sup>72</sup> Carrying capacity and prices are complementary. No stockman must sacrifice his cattle on a low market when the range furnishes the possibility of a carryover, but there is no choice when the ranges are depleted. However, fifteen years were to elapse before these fundamental factors were considered by the legislature.

Meanwhile, in April, 1935, the Land Board unanimously agreed to continue the 1½ cent per acre fee on state lands for two more years beyond June of that year.<sup>73</sup> And in 1937 the rate was voluntarily continued for an additional two years pending the completion of appraisal of state lands.<sup>74</sup>

In January, 1936, Works Progress Administration Proj-

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69. *Ibid.*, 1933, Chap. 98, sec. 1, p. 467; or *Arizona Code Annotated*, 1939, Chap. 11, sec. 304, p. 437.

70. *Weekly Market Report and News Letter*, XII, No. 19 (June 13, 1933).

71. *Ibid.*, XIII, No. 30 (August 7, 1934).

72. *Twenty-second Annual Report of the State Land Commissioner* (July 1, 1933 to June 30, 1934), p. 6.

73. *Weekly Market Report and News Letter*, XIV, No. 1 (January 2, 1935).

74. *Ibid.*, XVI, No. 16 (May 11, 1937).

ect number 274 was assigned to cooperate with the State Land Department in the classification of all state lands.<sup>75</sup> Heretofore no permanent records classifying the lands had existed, unless in the memory of department employees who had never seen the lands. Consequently there was no possible basis for leasing grazing lands except at a flat rate, regardless of their value to the lessees. Furthermore, the administration was unable to secure income commensurate with the best interests of industries utilizing or benefitting from the lands.<sup>76</sup>

Specifications for classification included actual physical examination of state lands and the drafting of a topographical map for each township denoting all the different types of lands therein, namely, state, private, railroad, public domain, forest reserve, and Indian reservation lands. The carrying capacity was estimated, rainfall and soil conditions determined, and summaries by townships and counties made.

In addition to collecting detailed data, the project uncovered many cases of completely inefficient handling because of lack of information. For example, it was found that valuable irrigation lands were sometimes under grazing leases in violation of the Enabling Act, the Arizona Constitution, and state land code. Subsequent to the investigation, however, they were properly classified and rentals collected accordingly.<sup>77</sup>

The state also participated in the federal soil erosion program. On March 18, 1936, an agreement was made between the state of Arizona and the Soil Conservation Service of the Department of Agriculture whereby unleased state lands in Pinal and Maricopa Counties were to be under the supervision of erosion specialists; the object was to check deterioration of the ranges by planting or propagating vegetative covering.<sup>78</sup> Lessees throughout southern Arizona also reached agreements with the Service for the restoration of the land to its former capacity.

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75. *Twenty-fourth Annual Report of the Arizona State Land Commissioner* (July 1, 1935 to June 30, 1936), n.p.

76. *Ibid.*

77. *Ibid.*

78. *Ibid.*

State lands were affected by federal statute in another way too. Under Section 8 of the Taylor Grazing Act,<sup>79</sup> the Land Board frequently exchanged its lands within the federal grazing districts for comparable "in lieu" sections (private owners in the districts were similarly authorized by the same section). Conflicts sometimes arose between the state and private lease applicants. It was determined that when land was applied for under both Sections 8 and 15, a one-year federal permit should be issued under Section 15 if that application were made first; but if the state filed the initial request, its application went to Washington for investigation.<sup>80</sup>

As previously noted, the procedure for leasing state lands was frequently changed. The contracts up to 1940 included the "or date of sale" clause; *i. e.*, the lease extended for five years unless purchased. In that year, however, Mr. William Alberts authorized the elimination of the clause so that a potential buyer must wait the expiration of the lease.<sup>81</sup>

The method of purchasing state lands in 1940 consisted of filing an application along with a one dollar fee at the office of the State Land Commissioner. The latter notified the proper county board of supervisors, which made an appraisal of the lands. After publication of a list of lands thus applied for, public auctions were held. State lands were sold for cash or on terms. If on terms, the certificate of purchase ran for thirty-eight years after payment of five per cent on the purchase price and two per cent in addition for classification and appraisement.<sup>82</sup>

Two types of lands available for renting by Arizona farmers and cattlemen have been discussed, namely, public domain and state lands. In addition, there are national forests in which the permit system of grazing control is used. There are numerous examples of large ranch organizations comprising several different types of lands. Many are in the Willcox area. By 1929, the J. H. Brookreson Ranch, for instance, consisted of some 7,000 acres of patented land

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79. 48 *Statutes at Large*, pt. 1, sec. 8, pp. 1272-73.

80. *Weekly Market Report and News Letter*, XV, No. 44 (November 24, 1936).

81. *Ibid.*, XIX, No. 27 (July 9, 1940).

82. *Ibid.*



purchased at \$2 to \$5 per acre (originally deeded by the government in 320-acre homesteads) and approximately thirteen sections of state leased lands. E. R. Hooker possessed some 35,000 acres of private and 20,000 acres of state lands in addition to considerable forest acreage. The Riggs family had acquired 100,000 patented, 50,000 leased, and 25,000 acres in forest lands.<sup>83</sup>

By 1904, some eight forest reservations had been set aside in Arizona in accordance with Section 24 of the General Revision Act of 1891.<sup>84</sup> Three of the areas were south of the Gila River.<sup>85</sup> The Santa Rita Forest Reserve (south and southeast of Tucson) was created by an executive order of April 11, 1902.<sup>86</sup> The Santa Catalina<sup>87</sup> (northeast of Tucson) was similarly established on July 2 of the same year, and the Chiricahua Reserve on July 30.<sup>88</sup>

The establishment of other reserves followed until 1908 when a process of consolidation began. On July 2, Executive Order number 908 directed that the Santa Rita, Santa Catalina, and Dragoon National Forests be joined under the name of the Coronado National Forest.<sup>89</sup> The reserve was enlarged on June 6, 1917, with the addition of the Chiricahua Forest; also by Order number 908,<sup>90</sup> the Huachuca, Tumacacori, the Baboquivari Reserves were consolidated into the Garces National Forest.<sup>91</sup> And on July 1, 1908, a third administrative district, the Crook National Forest, was created.<sup>92</sup>

Since the reserves embraced large areas of grazing lands, they have always been of paramount importance in the his-

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83. *Arizona Range News*, August 16 and 23, September 13, October 11, and November 8, 1929.

84. 26 *Statutes at Large*, p. 1103. In 1907 the name "forest reserves" was changed to "national forests."

85. Report to the Governor, *op. cit.*, 1904, p. 111.

86. 32 *Statutes at Large*, pt. 2, pp. 1989-91.

87. *Ibid.*, pp. 2012-13.

88. *Ibid.*, pp. 2019-21.

89. See 36 *Statutes at Large*, pt. 2, p. 2719 for the alteration of the boundaries. The best available list of presidential orders is *Presidential Executive Orders*, W.P.A. Historical Records Survey, 2 vols.

90. *Presidential Executive Orders*, Order No. 2630, p. 221.

91. See 36 *Statutes at Large*, pt. 2, p. 2687 for addition of lands on April 21, 1910.

92. *Presidential Executive Orders*, Order No. 869, p. 81.

tory of the cattle industry in southern Arizona. In 1925 for example, 1,226,506 of the 1,302,768 acres in the Coronado National Forest were usable for grazing for an average of 10.46 months per year with a carrying capacity of 37,844 cattle.<sup>93</sup> The Forest Service of the Department of Agriculture which has supervised the reserves since 1905, was given the task of seeing that the maximum number of cattle and sheep were grazed with the least possible injury to vegetation. Its range management program involves the determination of carrying capacity, the most adaptable class of stock, and the grazing period for each range.<sup>94</sup> The most beneficial use of grazing lands and the best distribution of stock are obtained through the proper division of ranges among the stockmen and among the different classes of livestock, as well as by the development of water, construction of drift fences, better salting methods, and the eradication of poisonous plants.<sup>95</sup>

At first there was no law specifically authorizing the sale of grazing privileges on forest reserves. But since there was also no prohibition, Chief Forester Pinchot ordered a small charge beginning January 1, 1906.<sup>96</sup> In the years preceding his extra-legal step, considerable opposition was manifested in western states against regulation. On February 14, 1899, for example, delegate Marcus A. Smith of Arizona presented a memorial from the legislature of his state demanding grazing without restriction.<sup>97</sup>

Yet the disadvantages of free grazing were apparent. The Interior Department, which directed the reserves until 1905, found it almost impossible to assign permits justly to all applicants, and thus adopted preferential rules. The stockmen residing on the reserves were first considered, and then persons with permanent ranches within reserves but

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93. *Hearings before a Subcommittee of the Committee on Public Lands and Surveys*, U.S. Senate, 69 Cong., 1 Sess., 1925, p. 1755.

94. Paul G. Redington (District Forester), "Forest Reserves and Grazing Lands," *Proceedings of the Tenth Annual Meeting of the Arizona Cattle Growers' Association*, 1917, pp. 34-35.

95. *Ibid.*, p. 36.

96. *Hse. Doc. 6*, 59 Cong., 2 Sess., p. 278.

97. *Congressional Record*, 55 Cong., 3 Sess., XXXII, pt. 2, p. 1879; *Session Laws of the Twentieth Legislative Assembly of the Territory of Arizona*, 1899, Council Memorial No. 1, p. 88.

residence outside. Next in preference came those who lived in the immediate vicinity, and finally outsiders or transients who had some equitable claim.<sup>98</sup> Without the exaction of fees, however, restrictions on grazing were necessarily lax and westerners for that reason opposed the transfer of reserves to a Department of Agriculture bent on the regulation of grazing.<sup>99</sup>

Nevertheless, government control was established and the Congressional appropriation bill for the fiscal year ending June 30, 1907, contained a provision relative to the levying of fees. The minimum charge for summer grazing was twenty to thirty-five cents per head, or thirty-five to fifty cents per head for year-long grazing. But the regulation stipulated that grazing fees would be raised as the ranges improved and the demand for permits increased.<sup>100</sup> From 1906 until 1910 only slight changes were made in the regulations. But in 1910 fees were established on the basis of thirty-five to sixty cents. An order of the Secretary of Agriculture, effective January 1, 1912, added five cents per head per annum. In 1915 the scale ran from forty-eight to seventy-five cents per head. The first important increase came in 1916 with the raising of the maximum charge to \$1.25 with gradual additions scheduled until by 1919 it would be \$1.50 with a sixty-cent minimum.

Ten per cent of receipts from forest reserves were payable annually to the territory to be distributed to the counties in which the reserves were located for the benefit of schools and the construction of roads, providing that the amount was not equivalent to more than forty per cent of a county's income from all sources.<sup>101</sup> By a subsequent act of Congress, however, it was provided that twenty-five per cent of the money received should be disbursed to the state. In addition, ten per cent of gross receipts is expended upon roads within the forests, and about eleven per cent is paid into the state

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98. John Ise, *The United States Forest Policy*, p. 169.

99. *Congressional Record*, 57 Cong., 1 Sess., XXXV, pt. 7, pp. 6509-26 and 6566-73.

100. C. E. Rachford, "Forest Service, Range Appraisal Report," *Hearings, op. cit.*, pt. 1, pp. 17-18.

101. 34. *Statutes at Large*, pp. 1270-71; *Biennial Message of the Governor of Arizona* (Joseph H. Kibbey) to the *Twenty-fourth Legislative Assembly*, 1907, p. 41.

treasury. Thus the share of rents received is at least equivalent in most cases to the taxes which would be collected from the same lands in private ownership.<sup>102</sup>

The permit system of renting is more flexible than the leasing system. It entails a definite number of animals on an amount of land which the Forest Service estimates to be sufficient. The forage required for a given kind of animal differs very little, and hence a uniform charge "per animal" is easily applied whereas a uniform charge "per acre" is not equitable because of vegetation differences. Furthermore, the leasing system is conducive to overstocking, especially if the tenure is short.<sup>103</sup>

Speculation was discouraged, since permits are not transferable; also, a stockman who waives his grazing preference by agreement with a buyer of his stock and private lands is prohibited from obtaining another permit for three years, unless surplus land of no use to other applicants is available. Moreover, permits were to run for only one year with preference being given to small nearby owners, other occupants of the range, and owners of transient stock, in that order.<sup>104</sup>

The first decade of the existence of the Arizona Forest Reserves brought a rapid increase in the value of grazing privileges, the higher price of meat and the growing scarcity of open range being perhaps the chief causes. While rentals on Indian, state, and private lands rose accordingly, the forest reserve fees remained stationary. But finally in 1917, the Secretary of Agriculture decided to correct the discrepancy by raising the fees.<sup>105</sup>

Livestock associations in the western range states protested. The Arizona Cattle Growers' Association, eighty-four per cent of its members having forest permits, registered strenuous objections at their March convention in Globe.<sup>106</sup> The committee appointed to draw up a protest to the proposed advancement in rates denounced the statement of the

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102. Wooton, *op. cit.*, pp. 56-57.

103. *Ibid.*

104. "National Forest Manual," (Effective March, 1924), Regulation G-7, *Hearings*, *op. cit.*, p. 61.

105. Anonymous, *American Forestry*, XXIII, No. 279 (March, 1917), p. 177.

106. E. H. Crabb, "Grazing Privileges on Forest Reserves," *Proceedings of the Tenth Annual Meeting of the Arizona Cattle Growers' Association*, 1917, p. 65.



Secretary of Agriculture that Forest Service fees were only thirty-four per cent of prices paid by cattlemen for grazing on private lands; *i. e.*, 3.9 cents per head as compared with 11.7 cents per head. They contended that fencing and the unregulated use of non-forest lands were conducive to the most profitable range management.<sup>107</sup>

The demands of cattlemen were partially met when the Department of Agriculture reduced its announced increase in fees from 33½ to twenty-five per cent. Future increases were to be contingent upon investigations of the actual value of each permit in the separate forests.<sup>108</sup> Accordingly, a detailed appraisal of national forest ranges began in 1921 in order that a parity between forest and commercial rates could be equitably established.<sup>109</sup>

The following year Arizona stockmen formed an organization in Tucson called the National Forest Permittees' Association to resist attempts of the Forest Service to advance grazing fees. Their resolutions called for long-term leases in definite and positive terms, and the recognition of established rights based upon use prior to the creation of the forest reserves. However, Colonel W. B. Greeley, Forester-in-Chief at Washington, stated that existing rents did not represent the full commercial value of the grazing lands.<sup>110</sup>

Generally the cattlemen were satisfied with the regulated system of grazing as promulgated by the Forest Service, especially in times of depression. A typical situation occurred during the mid-20's when many grazing regions were drouth-stricken. The Secretary of Agriculture was authorized by Congress in March, 1925, to waive any part, or all, of the grazing charges for the use of national forests in the drouth areas.<sup>111</sup> In the same year, grazing fees were worked out on the basis of annual rates paid by stockmen on leased state and private lands.<sup>112</sup> In 1927, there was a reduction; though the next year the Secretary of Agriculture approved

107. See the committee's letter to D. F. Houston, then Secretary of Agriculture, *Ibid.*, p. 52.

108. Anonymous, *American Forestry*, XXIII, No. 279 (March, 1917), p. 177.

109. *Sen. Doc. 199*, 74 Cong., 2 Sess., p. 257.

110. *Tucson Citizen*, June 5, 1922.

111. *44 Statutes at Large*, pt. 1, p. 1259.

112. *Weekly Market Report and News Letter*, XII, No. 14 (April 13, 1933).

a plan, to begin in 1928 and continue through 1930, whereby grazing charge would be increased to the commercial basis less twenty-five per cent, the difference in the two scales being lessened twenty-five per cent for each of the three years.<sup>113</sup>

The extremely low prices of cattle and sheep, however, resulted in a fifty per cent reduction for 1932.<sup>114</sup> Then a flexible formula was worked out and approved by Secretary of Agriculture Wallace on May 27, 1933. It provided for annual readjustment on the basis of prices received for livestock during the previous year in eleven western states;<sup>115</sup> the 1931 range appraisal rate of 14.5 cents per head per month for cattle was accepted as the base. Thus, by way of illustration, the 1939 cattle fee was eight per cent lower than the 1931 level; *i. e.*, the individual forest fee was established by simply taking ninety-two per cent of the base.<sup>116</sup>

It is true that in spite of the general acquiescence in the forest program, certain criticisms prevailed, which were slowly met. The demand for long-term permits culminated in the enactment of the Clarke-McNary Law on June 7, 1924,<sup>117</sup> which granted contracts up to ten years; but with the initiation of the public domain administration under the Taylor Grazing Act, permits were once again issued on a year-to-year basis.<sup>118</sup>

Furthermore, permission to erect fenced enclosures was sought. The lack of arbitrary lines of division lowered the worth of forest grazing privileges in comparison with Indian, state, or private leases, which empowered the lessees to construct fences and consolidate ranch units. The difficulty in separating different kinds of stock or the animals of different owners is apparent. However, the Service did allow so-called "drift fences" to restrict the movement of stock in such a manner as to secure their proper distribution on the

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113. *Sen. Doc. 199*, 74 Cong., 2 Sess., p. 257.

114. *Report of the Forester*, 1933 (Robert Y. Stuart), *Annual Reports of the Department of Agriculture*, p. 24.

115. *Ibid.*, pp. 24-25.

116. *Weekly Market Report and News Letter*, XVIII, No. 21 (May 2, 1939). See the letter of James A. Scott, Acting Regional Forester at Albuquerque.

117. *43 Statutes at Large*, pt. 1, pp. 653-655.

118. *Weekly Market Report and News Letter*, XIII, No. 47 (December 4, 1934).

range, second in importance only to the rate of stocking.<sup>119</sup>

In summary it can be said that though stockmen occasionally protested against increase in grazing fees and certain weaknesses in the forest reserve laws, they almost invariably supported the Forest Service in its efforts to improve range conditions; and the constructive pioneering of foresters in developing a range science in Arizona has been most commendable. Perhaps the first experiment of note began in 1903 with the enclosing of 49.2 square miles in the Santa Rita Forest Reserve; four contiguous ranches were also included. Previous to that time, heavy pasturing had considerably depreciated the range; but by 1910 the Bureau of Plant Industry was able to report conclusively that vegetation which once flourished on the reserve could be restored when given a measure of protection.<sup>120</sup> In 1915 the Experimental Station was transferred to the Forest Service, which has continued to show the benefits to be derived from stocking ranges within their grazing capacity.<sup>121</sup>

The basic objective in range research involves detailed study of conditions necessary for plant growth; it begins with the soil and ends with the marketable animal. A matter of chief concern has been the invasion of the ranges by mesquite, cacti, burroweed, and snakeweed. Though these plants often result in a decreased forage production, they do not have the effect of poisonous plants in causing cattle losses. The latter have presented a serious problem.<sup>122</sup> In 1916 alone some four hundred head of cattle worth approximately \$16,000 were lost in forests of Arizona. The principal plants causing the losses were three or four species of loco.<sup>123</sup> Of the experiments which have been conducted under the supervision of the Southwestern Forest and Range Experiment Station at Tucson, many have been concerned with the dif-

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119. *Proceedings of the Tenth Annual Meeting of the Arizona Stock Growers' Association*, 1917, p. 47.

120. David Griffiths, "A Protected Stock Range in Arizona," U.S.D.A. Bureau of Plant Industry, *Bulletin 177*, pp. 7-24.

121. Redington, *op. cit.*, p. 36.

122. Kenneth W. Parker, "Control of Noxious Plants in the Southwest," *Research Notes*, No. 77 (December, 1939), Southwestern Forest and Range Experiment Station, Tucson, p. 10.

123. Redington, *op. cit.*, p. 36.

ferent methods of controlling and eradicating noxious and poisonous weeds. When tested and proven, the information obtained is disseminated among cattlemen.

Another important advantage which has accompanied governmental control of the ranges is the prevention of range wars, particularly armed conflicts between cattlemen and sheepmen, as a result of the closing of forest reserves to "transient" and tramp herds.<sup>124</sup> Furthermore, the forest regulations have had a salutary effect on the enforcement of brand laws. If an application for a permit shows that the stock to be grazed bear brands not recorded in the name of the applicant, acceptable proof of ownership must be furnished.<sup>125</sup>

Besides the lands described above there are also Indian Reservations in the Gadsden Purchase area. However, only the Papagos are located entirely south of the Gila River and for that reason the remainder of this paper will be devoted to them.

The Papago Indian Reservation is situated about nine miles southwest of Tucson. It is one of the leading centers of livestock production in southern Arizona, chiefly for two reasons. First, the free life of the open range is particularly compatible with the Indian's temperament. Secondly, most of the land is not acceptable to intensive agricultural development, and the livelihood of the people is therefore dependent upon the successful raising of cattle.

The annexation of Arizona by the United States was most disastrous to the Papagos. Belonging to the Piman family, they were early Christianized by the Jesuits and Franciscans, later being recognized as citizens of Mexico. But with the in-surge of white settlers, they were not only deprived of citizenship, but also of intensive land holdings and water rights. By an executive order in 1874 and by a congressional act of 1882, the tribe was granted a meager 69,200 acres of which 41,622 acres were allotted to 363 tribesmen by 1890. It was inevitable that stock raising should continue to be the chief

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124. Will C. Barnes, "The Story of the Range," *Hearings, op. cit.*, pt. 6, p. 1586.

125. "National Forest Manual," *Hearings, op. cit.*, pt. 1, p. 49.



economic pursuit of the Papagos since 33,062 acres of the allotted land and the entire unallotted area of 27,578 acres were considered valueless except for grazing purposes.<sup>126</sup>

By executive order 2300 on January 14, 1916, approximately two million acres of public land were set aside for the Papagos, their first real safeguard against white encroachments.<sup>127</sup> However, it was learned that a six-mile strip running generally east and west across the reservation had been applied for by the state of Arizona prior to the establishment of the reservation, in accordance with its "in lieu" privileges.<sup>128</sup> Certain private individuals had also initiated valid claims to certain tracts under the public land laws. Consequently, executive order 2524, February 1, 1917, provided for the elimination of the "six-mile strip" and its return to the public domain, leaving three separate tracts which were most insufficient for the grazing needs of the tribe.<sup>129</sup> Immediately the Indians began insisting that their lands be made contiguous through the closing of the strip and by the acquisition of the privately-owned Santa Rosa Ranch as well as adjoining public land.

In 1930 a bill was introduced in the United States Senate contemplating certain additions to the reservation, *viz.*, all the unreserved and undisposed land within the "strip." Also some \$165,000 was to be appropriated to acquire the Santa Rosa and other privately-owned lands to completely consolidate the tracts. Thus two advantages would be attained: (1) the Papagos could range their livestock over the entire reservation without trespassing on private grasslands, and (2) the encroachment by white and Mexican stock raisers upon the reservation would be limited. It was also hoped that the state would relinquish its "lieu" selections within the strip. The bill became law on February 21, 1931, with the

126. *Sen. Doc. 973*, 62 Cong., 3 Sess., p. 5.

127. *Indian Affairs, Laws, and Treaties*, IV, *Sen. Doc. 53*, 70 Cong., 1 Sess., p. 1005. Executive Order No. 1374 (June 16, 1911) and Order No. 1538 (May 28, 1912) reserved certain public lands for the Papagos; whereas Orders No. 1090 (June 17, 1909) and No. 1655 (December 5, 1912) had diminished the reservation slightly.

128. *Constitution of the State of Arizona* (annotated and copyrighted by the Department of Library and Archives, July, 1939), Art. X, Sec. 5, p. 65; 36 *Statutes at Large*, p. 558.

129. *Hse. Report 1934*, 71 Cong., 2 Sess., p. 2.

stipulation that the lands acquired should not be subject to allotment.<sup>130</sup>

Congress had previously voted \$9,500 on June 28, 1926, for a purchase which embraced 440 acres of patented lands, one quarter section being known as the "Steinfeld tract" and the remainder as the "John Tierney tract." The latter was practically all fenced and furnished valuable pasture for the agency cows.<sup>131</sup> Yet the Indians still need additional pasture.

The Papago land status has accentuated the more undesirable features of periodic drouths. It is impossible to determine exactly the quantity of land needed by each stockman, but it is evident that the Papago range area per capita has been insufficient, with overstocking and deterioration the inevitable result. The reservation comprised 2,375,554 acres in 1930 of which 2,371,804 acres were grazing land. Thus the range area approximated 459 acres for each of 5,159 Indians.<sup>132</sup>

As previously stated, successful livestock production in semi-arid regions entails the possession of thousands, not hundreds, of acres. The white stockmen have obtained large areas under the various leasing systems. But the Papago is unable to lease government lands and is thus at a disadvantage in the competitive field dominated by his white neighbor. His only solution was overstocking, a course which by the late 40's culminated in poverty and virtual expulsion from the pursuit which had supported his ancestors for at least two and a half centuries.

Nor have the Papagos been able to compete with other Indian tribes. By way of comparison, the statistics on cattle sales for May, 1935, are typical of the inequality. In that month the Papagos sold 865 head of cattle averaging only \$22.71 per head, whereas the San Carlos Apaches averaged \$35.75 per head for the 1,700 animals which they sold. The \$13.04 difference could be attributed to perhaps three fac-

130. 46 *Statutes at Large*, pp. 1202-03.

131. 44 *Statutes at Large*, p. 775; also see *Sen. Report* 493, 69 Cong., 1 Sess., p. 102.

132. Lee Muck, Percy E. Melis, and George M. Nyce, "Economic Survey of the Range Resources and Grazing Activities on Indian Reservations," *Hearings before a Subcommittee of the Committee on Indian Affairs*, United States Senate, 71 Cong., 2 Sess., p. 12273.



tors favoring the Apaches: (1) superior range, (2) better breeding, and (3) better marketing methods.<sup>133</sup>

Even with government help the Papagos have been unable to cope with the problem of overstocking and the deterioration of their ranges. The long drouth during the winter of 1948-49 virtually finished the livestock industry on the reservation. A possible solution may be the program proposed by the tribal council and approved by Secretary of Interior Krug in 1949, which would separate the 7,400 Indians. About one-third would be diverted into farming, and an equal number into the white man's pursuits, leaving the remainder as livestock growers.<sup>134</sup>

Regardless of what is done to alleviate the Papago situation, the system of land ownership in Arizona will remain complicated. The problem of securing sufficient land for the remunerative management of herds has caused the stockman his greatest consternation. As a result many ranches are hodge podges of patented, state, forest, and public grazing lands. No standardization of leasing fees has been achieved. Consequently, users of low rental lands are frequently subjected to attacks by beneficiaries of the same.

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133. *Annual Statistical Report*, Sells Agency, Arizona, Fiscal Year Ending June 30, 1935, p. 17.

134. *Tucson Daily Citizen*, March 29, 1949.

PERIODICAL DEPT,

## ON THE NAVAHO TRAIL: THE CAMPAIGN OF 1860-61

By MAX L. HEYMAN, JR.\*

FROM May to July of 1860, two and a half regiments of the United States Army moved from the Department of Utah into the Department of New Mexico.<sup>1</sup> The reason for their transfer is to be found in the Report of the Secretary of War for 1860: "In New Mexico, the outrages and depredations of the Indians have been very daring and numerous, and nearly the whole territory may be said to have been infested by them throughout the season." To chastise the red man, then, "in an exemplary manner," was the duty for which the troops were called into the Territory. And the particular object of their endeavors was to be "the numerous and powerful tribe of Navajoes."<sup>2</sup>

Trouble between the Navaho Indians and the Spanish-speaking population of New Mexico stretched back to the beginning of the eighteenth century.<sup>3</sup> In the twelve years immediately preceding the American conquest of the Territory, Navaho incursions had been extremely severe.<sup>4</sup> In the twelve years since that time, the warriors of the Navaho Nation had caused more trouble to the citizens of New Mexico than any other Indian tribe.<sup>5</sup>

During these years, a desultory warfare was carried on. The Navaho raided the camps and settlements of the Territory for the purpose of stealing stock. Mexican women and

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1. The 5th and 7th Infantry Regiments, three companies of the 10th Infantry, and two companies of the 2d Dragoons. See General Orders No. 10, April 16, 1860, Department of Utah, *General Orders and Special Orders*, 1860. This material and the Adjutant General's Office and Department of New Mexico items hereinafter referred to are to be found in the War Records Division of the National Archives in Washington, D. C. Also see Colonel T. T. Fauntleroy to Colonel L. Thomas, A. A. G., Headquarters of the Army, August 5, 1860, in the Report of the Secretary of War in *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 60.

2. *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 3.

3. Hubert Howe Bancroft, *Arizona and New Mexico* (San Francisco, 1889), 222-223.

4. Frank D. Reeve, "The Government and the Navaho, 1846-1855," *New Mexico Historical Review*, XIV (January, 1939), 82-83.

5. Bancroft, *op. cit.*, 673.

children captured on these forays were enslaved or sold to distant tribes. Only incidentally, however, did the Navaho kill during these assaults. On the other hand, when Mexican elements wished to enrich themselves in flocks and herds, they made inroads upon the Navaho. Captives were likewise enslaved<sup>6</sup> and, by 1861, it was estimated that the residents of New Mexico held over 1,500 of these people in bondage. Even the governor of the Territory was said to own Navaho slaves.<sup>7</sup>

No doubt, many of the depredations blamed on the Navaho were not of their doing. But more were, and numerous punitive expeditions, public and private (the latter is how New Mexicans often gained materially), were sent against them. In 1858, a nominal peace existed. Yet, only a minor incident was needed to rupture it. Such an incident occurred. Thenceforth, except for the quiet winter of 1858-59, the Navahos raided at will.<sup>8</sup>

Continued successful forays, even within sight of the capital of the Territory, gave these warriors such confidence in their bravery and prowess that, on April 30, 1860, they became so bold as to attack Fort Defiance—a garrisoned military post.<sup>9</sup> It was this imprudent action on the part of a Navaho war party that provoked the Secretary of War into ordering that drastic steps be taken to quell the tribe.<sup>10</sup>

At Fort Garland,<sup>11</sup> late in August, Major Edward R. S. Canby, Brevet Lieutenant Colonel, Tenth Infantry,<sup>12</sup> received a letter from Captain D. H. Maury, Assistant Adju-

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6. Frank D. Reeve, "The Federal Indian Policy in New Mexico, 1858-1880," *New Mexico Historical Review*, XII (July, 1937), 221.

7. Oscar H. Lipps, *The Navajos* (Cedar Rapids, 1909), 54-55.

8. Reeve, "The Federal Indian Policy in New Mexico," *loc. cit.*, 223 *et seq.*

9. For the report of the attack, see *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 52-56.

10. Major W. A. Nichols, A. A. G., to Colonel T. T. Fauntleroy, July 14, 1860, *ibid.*, 60.

11. At this time Fort Garland was in the Territory of New Mexico. At present, and since the Colorado Territory was formed, it is located in south-central Colorado.

12. In 1860, Canby was forty-three years old. He had graduated from West Point in 1839, after which he served in the Florida War until 1842. On frontier service along the Great Lakes from 1842-1846, he participated in the Mexican War as assistant adjutant general, emerging with two brevet. He served in California from 1849-1851, took part in the "Mormon War" of 1857-1858, and commanded Fort Bridger, 1858-1860, before coming to New Mexico. Following his service in the Navaho campaign, he commanded the Department of New Mexico, 1861-1862, during the Confederate In-

tant General, in Santa Fe. Part of its contents read as follows:

The Department Commander directs me to say that he has decided to commence active operations against the Navajos at once, and he wishes you to conduct them. . . . in carrying out these operations he desires to entrust the greatest possible discretion to you . . . he has selected you for this duty accordingly.<sup>13</sup>

Thus was Lieutenant Colonel Canby notified of his assignment to command the Navaho Expedition.

The campaign was planned to last six weeks in October and November. The troops, in three columns, were to converge on Fort Defiance from their stations in different sections of the Territory and, from that rendezvous, were to invade the heart of the Navaho country and punish those "audacious predatory hordes."<sup>14</sup> The Superintendent of Indian Affairs, although he usually frowned on the use of one tribe in fighting another, consented to the employment of the Pueblo and Ute Indians as spies and guides for the military in this expedition against the "common scourge."<sup>15</sup>

Canby marched for Fort Defiance on September 10.<sup>16</sup> Under orders to "seize and destroy the crops" in all the Navaho planting grounds that his column might come upon,<sup>17</sup> he led the troops southwestward via Abiquiú and Cañon Largo.<sup>18</sup> The command didn't reach Fort Defiance, where the

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vasion of the Territory. He was one of those administrative generals (he ultimately became a brigadier general in the regular army) whose light has been hidden by the more dashing of their brethren-in-arms. He was what might be considered a military assistant secretary of war from 1862-1864. He commanded the Military Division of West Mississippi, 1864-1865, and was military governor in three of the southern districts during Reconstruction. He was killed in northern California by the Modoc Indians in April, 1873. A sketch of his life may be found in the *Dictionary of American Biography*. N. B.: The author of this article now has in preparation a biography of Canby.

13. Maury to Canby, Department of New Mexico, Letters Sent, X, 455, No. 187. (Department of New Mexico will hereinafter be cited as Dept. of N. M. and *Letters Sent*, *LS*.)

14. *Ibid.* Also see Fauntleroy to Thomas, August 26, 1860, *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 63.

15. J. L. Collins to Maury, September 5, 1860, Dept. of N. M. *Letters Received*, C30a, 1860. (*Letters Received* hereinafter cited as *LR*.)

16. With three officers and 115 enlisted men. Canby to A. A. G., September 9, 1860, *ibid.*, C32a, 1860.

17. Fauntleroy to Thomas, September 9, 1860, *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 64.

18. Canby to A. A. G., September 19, 1860, Dept. of N. M., *LR*, C34a, 1860.

other columns were anxiously awaiting its arrival,<sup>19</sup> until October 4—three days later than Colonel T. T. Fauntleroy, the department commander, had anticipated.<sup>20</sup>

But Canby had expected to be late, and had therefore requested that the commanders of the other detachments have their reports and returns ready so that there would be no unnecessary delay in organizing the troops once he did arrive.<sup>21</sup> Yet, in spite of this and other attempts to foresee any possible contingencies that might retard the prompt initiation of the operations,<sup>22</sup> considerable delay was experienced in outfitting and supplying the fifteen companies assigned to the command.<sup>23</sup>

Canby was able to put two detachments of 270 men each into the field by October 11. A third, smaller, division followed them on the thirteenth. In converging on Fort Defiance, the troops had driven the Navaho from their haunts in the Chusca and Tunicha Mountains westward toward the Sierra Limita, beyond which it was understood they could not go.<sup>24</sup> In that direction, then, the columns were pointed. Canby expected to corner the Navaho there and "inflict punishment . . . signal in its results and lasting in its effects."

Disturbing, however, was the fact that a want of adequate supplies further restricted the time allotted to the operations. Canby expressed the feeling that it would be unfortunate if the stores were exhausted before he attained the ends desired, or the failure of his plan was fully demonstrated. He hoped that an additional force and more transportation and subsistence would soon be forthcoming, so that he could increase the size of the third section and thus extend the scope of the operations. As it was, there was

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19. Major H. H. Sibley to Maury, September 29, 1860, *ibid.*

20. See Maury to Canby, Dept. of N. M., *LS*, X, 455, No. 187.

21. Canby to A. A. G., September 6, 1860, Dept. of N. M., *LR*, C31, 1860.

22. See *id.* to *id.*, September 9, 1860, *ibid.*, C32a, 1860, requesting clothing for the troops and equipment for the animals.

23. There were six companies of cavalry and nine of infantry, and fifty scouts. See Fauntleroy to Thomas, September 9, 1860, *Senate Exec. Doc. No. 1*, 36th Cong., 2d sess., II, 63.

24. Canby to A. A. G., October 4, 1860, Dept. of N. M., *LR*, C39, 1860.



equipment available for but two companies of the third division, and bacon rations for only ten days.<sup>25</sup>

Leaving Captain Lafayette McLaws to command the rear echelon and the dwarfed third detachment, Canby headed the First Column as it took the field.<sup>26</sup> Leading his men along the north side of the Cañon de Chelle, he was joined by the Second Column, coming up from the south, on October 19. The Third Column, meanwhile, acted as a holding force to prevent the escape to the southeast of any Navaho who managed to elude the maneuvers of the other two divisions. The Ute allies scourged the country between the sections,<sup>27</sup> and succeeded in capturing fifty or sixty horses and about 300 sheep. But when they failed to meet the troops at the mouth of the cañon, Canby wryly observed, "I apprehend that they are satisfied and have gone home."<sup>28</sup>

Now commanding the united forces, the lieutenant colonel employed his cavalry to reconnoiter the country in the neighborhood of the Mesa de la Vaca. Finding it impossible to penetrate the mesa, he reluctantly abandoned that course.<sup>29</sup> The route taken on the next phase of the patrol traversed a picturesque region of red sand-stone formations. But the scenery offered little compensation, because the trail was heavy and very distressing to the animals. On one day, the column covered twenty-one miles, during which the mounts began to "yield sadly."<sup>30</sup> One result of these initial operations was to render the horses entirely unserviceable for the rest of the campaign.<sup>31</sup> Yet, it was not the demands that Canby placed upon the cavalry that completely unfitted it for further action.

25. *Id. to id.*, October 12, 1860, *ibid.*, C41, 1860.

26. Actually, he remained behind one day, and caught up with it at Palo Negro. *Ibid.* Also see Lt. O. G. Wagner, A. A. A. G., to Captain Lafayette McLaws, October 11, 1860, *ibid.*, W33, 1860.

27. Canby to A. A. A. G., November 8, 1860, *ibid.*, C49, 1860. Also see Maury to Fauntleroy, October 20, 1860, Dept. of N. M., *LS*, X, 489, No. 269.

28. Canby to A. A. G., October 19, 1860, Dept. of N. M., *LR*, Enclosure in C49, 1860.

29. *Id. to id.*, November 8, 1860, *ibid.*, C49, 1860.

30. Sibley to Wagner, November 12, 1860, *ibid.*, Enclosure in C53, 1860.

31. See *id. to id.*, November 8, 1860, Adjutant General's Office, *LR*, Enclosure in 124 New Mexico Department, 1860. (Adjutant General's Office hereinafter cited as A. G. O.)



Due to an unprecedented drought, this was the second year of famine in New Mexico.<sup>32</sup> At only four camps during the scout were the essential requisites of water and grass combined in sufficient amounts to improve the animals. Many places where the guides had assured him that there was water, Canby found none. The animals were forced to do without, or had to drink the saline, "bitter" waters of the desert. Its consumption often proved fatal, even to horses in apparently fine condition.<sup>33</sup>

Canby surmised that the lack of water would force the Navaho to bring their stock to one of the few permanent springs. He therefore moved the command so as to block off the avenues of approach to water—but to no avail.<sup>34</sup>

Failing in this attempt to trap the Navaho, another reconnaissance was ordered. It revealed that many of the quarry, with "immense" herds and flocks, were fleeing South and West in the direction of the Moqui villages and the Little Colorado.<sup>35</sup> But, at the same time, the actions of other members of the tribe were quite provoking, especially to Brevet Major H. H. Sibley, Canby's second-in-command. These Navaho displayed "a persistent determination" to hang on the skirts of the moving column in small parties. They were "very numerous and bold, coming in sight of the troops in large numbers on the high mesas [above] the route [of march]."<sup>36</sup> They annoyed the column "in every way consistent with their individual safety," yet they were not disposed to fight. And that exasperated Sibley. With the military advantages all in their favor, the major was "forcibly struck" by "the futile efforts of this cowardly tribe" to inflict any real damage on the troops.<sup>37</sup> From a psychological

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32. J. L. Donaldson, A. Q. M., to Fauntleroy, November 13, 1860, *ibid.*, N119, 1860.

33. See Canby's endorsement on Sibley to Wagner, November 8, 1860, *ibid.*, 124 New Mexico Department, 1860.

34. See Sibley to Lt. L. L. Rich, November 12, 1860, Dept. of N. M., *LR*, Enclosure in C53, 1860.

35. Canby to A. A. G., November 8, 1860, *ibid.*, C49, 1860.

36. Colonel C. Carson to Captain Benj. C. Cutler, A. A. G., August 31, 1863, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1880-1901), Series I, vol. XXVI, pt. i, 251. (Hereinafter cited as *OR* and all references will be to Series I.)

37. Sibley to Rich, November 12, 1860, Dept. of N. M., *LR*, Enclosure in C53, 1860.

standpoint, though, they seemed to be doing a pretty good job, particularly in so far as Major Sibley was concerned.

After nearly a month in the field, Canby returned to Fort Defiance. The "almost total destitution" of water and grass had limited the operations considerably. The results were not decisive. Twenty-eight Indians had been killed by the troops, 360 horses and 2,000 sheep taken. In addition, the Utes had killed six Navaho, captured 600 horses and 5,000 sheep.<sup>38</sup> This seemingly poor showing notwithstanding, the military had succeeded in forcing the Navaho from their homes and grazing grounds into "the most desolate and repulsive country" that Canby had ever seen. And there, great numbers of their horses and sheep were reputed to be dying of hunger and thirst.<sup>39</sup>

During the course of the operations, various elements of the Navaho tribe made overtures for peace. To these representations, Canby responded. There was to be no cessation of hostilities until the whole Nation willingly submitted, "in good faith," to any terms which the United States might impose upon it. Though the petitioners protested their past and present friendship, declared themselves opposed to the war, and claimed that the *ladrones*, or bad men, of their Nation were the cause of all the trouble, Canby remained adamant. He replied that the Nation was responsible for the action of all its men, and that until it brought the *ladrones* under control, or eliminated them, or helped the troops to do so, he refused to listen to their pleas.<sup>40</sup> His stand, moreover, was in full accord with the position taken almost simultaneously by the department commander.<sup>41</sup> No immediate renewal of the overtures followed these pronouncements, but, shortly thereafter, Canby learned that a collision had occurred between the Navaho war and peace factions, in which blood had been spilled over this issue.<sup>42</sup>

At this juncture, Colonel Fauntleroy authorized Canby to take any steps that might be deemed necessary if the prose-

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38. Canby to A. A. G., November 17, 1860, *ibid.*, C53, 1860.

39. *Id.* to *id.*, November 8, 1860, *ibid.*, C49, 1860.

40. *Id.* to *id.*, November 10, 1860, *ibid.*, C50, 1860.

41. Maury to Canby, November 11, 1860, Dept. of N. M., LS, X, 495, No. 283.

42. Canby to A. A. G., November 10, 1860, Dept. of N. M., LR, C50, 1860.

cution of winter operations was thought advisable. And he forthwith offered to place four more companies under the lieutenant colonel's command for that purpose.<sup>43</sup> In reply to his superior's communication, Canby presented his views on the situation at hand.

He had been seriously considering the possibility of winter operations ever since the start of the campaign. Canby stated that from the beginning he had known that the Navaho policy was not to fight, and he was convinced that they would not fight unless driven to points from which there was no escape or unless forced to do so in defense of their families and flocks. But the recent operations disillusioned him. Even when the Navaho were pursued to the extreme limits of their domains, the nature of the country still permitted them to escape. He also discovered that they were willing to abandon family and precious livestock rather than engage the troops in whatever numbers. "Inhabiting a country of considerable extent; greatly diversified in features and climate; destitute of resources and impracticable for military operations to an extent that can only be realized from personal observation," Canby was certain that the subjugation of the Navaho could not be accomplished in one, or two, or, for that matter, three campaigns. He believed that the work of a "continued and persistent" war, in summer and winter, was required to turn the trick.

As the war party was now the dominant element in the Navaho Nation, Canby maintained that no permanent peace could be expected until they were ousted from power.

Deriving their subsistence to a great extent from the robberies they commit, having little to lose and much to gain by the continuation of the war, it will undoubtedly be protracted by them so long as they can wield the power which they now possess of intimidating and controlling the wealthier and less warlike part of the Nation.

He realized the futility of trying to discriminate between the two, unless, that is, the "peaceable and well-disposed" Navaho coöperated with the troops. This division of the Nation, however, could not be brought about, Canby was

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43. Maury to Canby, November 11, 1860, Dept. of N. M., LS, X, 495, No. 283.

persuaded, until the more well-to-do elements of the tribe were made to suffer greater injuries than they had thus far sustained. "Any peace that may be made before this result is attained would be a farce," he declared.

He therefore decided to direct his subsequent operations against that class in an effort to "obtain a final settlement of this question." To effect his policy of divide and conquer, Canby proposed to occupy certain strategic points in the Navaho country from which he could keep the Navaho in the desert by summer and in the mountains by winter. Hitting at the herds and flocks which constituted their main source of wealth, he hoped to get them to acquiesce.<sup>44</sup>

The decision to continue the campaign during the winter was just what the War Department ordered—in a directive received by Canby early the next month.<sup>45</sup> From mid-November until March, patrols were constantly in the field, ferreting out the Navaho and harassing them with relentless pursuit. Moving with as much secrecy as possible, they scouted around the circle for the foe.<sup>46</sup> Often, they encountered him not at all. But, in covering a wide expanse of territory, they at least examined areas heretofore unexplored. Where major Indian signs were found, as in the case along the Puerco, Canby established temporary supply depôts in the vicinity in order to save the troops time and enable them to move without the encumbrance of transportation.<sup>47</sup> Navaho parties which were surprised were attacked with the utmost vigor. No warriors were taken, but, by Canby's orders, all women and children captured were immediately released with instructions to inform their people that there would be no let-up in the operations until "the *whole* Nation" asked for peace.<sup>48</sup>

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44. Canby to A. A. G., November 12, 1860, Dept. of N. M., *LR*, C54, 1860.

45. See Maury to Canby, November 30, 1860, Dept. of N. M., *LS*, X, 508, No. 314.

46. See Canby to A. A. G., November 16, December 11, 1860, January 6, 14, and 28, and March 18, 1861, Dept. of N. M., *LR*, C52, C57, 1860, C11, C17, and Enclosure in C34, and Enclosures in C42, 1861, respectively.

47. *Id.* to *id.*, December 11 and 24, 1860, *ibid.*, C57, 1860 and C2, 1861, respectively.

48. See Maury to Fauntleroy, October 20, 1860, Dept. of N. M., *LS*, X, 489, No. 269.



While the results of any one of the patrols was relatively unimportant,<sup>49</sup> in totality their achievements were material.<sup>50</sup> Canby learned from captive Navaho that the Nation was "greatly perplexed and harassed" by the tactics employed. They lived in constant dread of surprise and, consequently, kept steadily on the move. Rarely did they spend more than two nights in the same camp. They had lost a great deal of stock by capture and from forced abandonment in their hasty flights.<sup>51</sup> By February, a large number of them were "reduced to the verge of starvation."<sup>52</sup>

Usually the saying, "As well might we send boys into a cornfield to catch marauding crows . . . as to start foot-soldiers in pursuit of Indians," was true.<sup>53</sup> But the equalizing effects of snow and cold weather, sometimes down to 16° below,<sup>54</sup> contradicted, in part, the generalization that "Infantry in the Indian country . . . are about the same use as so many stumps."<sup>55</sup>

In his reports to the department commander, Canby commended the troops for their zeal and exertions,<sup>56</sup> and, in turn, Colonel Fauntleroy bolstered the expedition's morale with words of praise for its efforts.<sup>57</sup> Moreover, the colonel also called the attention of the General-in-chief to his subordinate's energetic and able conduct of the campaign.<sup>58</sup> The governor of the Territory, in his December message to the legislature, announced that he was informed that the operations were being executed by "Colonel Canby . . . with a vigor and success as honorable to himself as to the valiant

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49. Fauntleroy to Thomas, January 31, 1861, A. G. O., *LR*, 31 New Mexico Department, 1861. Also see Canby to A. A. G., January 6, 1861, Dept. of N. M., *LR*, C11, 1861.

50. Canby to A. A. G., January 28, 1861, Dept. of N. M., *LR*, C34, 1861.

51. *Id.* to *id.*, January 6, 1861, *ibid.*, C11, 1861.

52. *Id.* to *id.*, January 28, 1861, *ibid.*, C34, 1861.

53. Quoted from the *Daily Missouri Republican* in A. B. Bender, "The Soldier in the Far West," *Pacific Historical Review*, VIII (June, 1939), 161. 1848-1860.

54. Canby to A. A. G., January 6 and 28, 1861, Dept. of N. M., *LR*, C11 and C34, 1861, respectively.

55. Bender, "The Soldier in the Far West," *loc. cit.*, 162.

56. See, for example, Canby to A. A. G., January 6, 1861, Dept. of N. M., *LR*, C11, 1861.

57. Maury to Canby, November 30, 1860, Dept. of N. M., *LS*, X, 508, No. 314.

58. Fauntleroy to Thomas, January 12, 1861, *ibid.*, 539, No. 22.



troops under his command.”<sup>59</sup> All this was deeply gratifying to Canby.<sup>60</sup>

During December, frequent overtures for a cessation of hostilities were made. Canby began to hope that most of the tribe would accede to the conditions which he had specified as a necessary preliminary to peace. With their assistance, the troops could then establish the identity and punish the bands to which the rest of the Nation charged the responsibility for all the robberies and killings that had occurred. This policy seemed to him to afford the surest way of effecting a speedy and permanent peace with the Navaho people.<sup>61</sup>

On December 23, Canby advised the department commander that he had named the twelfth of January as the day for a meeting with the Navaho chiefs. “I have consented to this appointment,” he explained, “from a conviction, that there is now a strong disposition on the part of the Navajos to submit to such conditions as will put an end to the War. . . .” He did not expect immediate peace to result from the conference, “but the discussion of the question in the Nation,” would, he believed, “test the relative strength of the peace and war parties and force the better class of Navajoes to side with the Troops in the prosecution of the War.” In any event, there was to be no interruption of active operations.<sup>62</sup>

On the appointed date, a delegation of three, representing the principal chiefs of the Nation, met with Canby at Fort Fauntleroy. The lieutenant colonel repeated the conditions which he had set forth previously and endeavored to impress upon the deputation, “fully and explicitly,” the Nation’s present and future responsibility for the acts of its people. The chiefs expressed their willingness to abide by his demands and affirmed their determination to make war on their bad men at once. They asked, however, that some arrangement be made whereby their families would be safe from molestation by the troops while they were engaged in

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59. [Abraham Rencher], *Message of the Governor of New Mexico, 1860*, 17.

60. Canby to A. A. G., December 18, 1860, Dept. of N. M., LR, C5, 1861.

61. *Id.* to *id.*, December 11, 1860, *ibid.*, C57, 1860.

62. *Id.* to *id.*, December 23, 1860, *ibid.*, C1, 1861.

hunting down the *ladrones*. After receiving the delegation's assurances that they thoroughly comprehended the implications of everything to which they agreed, Canby, "upon deliberate consideration," consented to a partial armistice.<sup>63</sup>

The terms of the truce applied only to the country west of Fort Fauntleroy, and its extension was contingent upon the outcome of the conference which all the chiefs of the Nation were to attend on the fifth of February. The deputation was warned that if the tribe allowed any *ladrones* to take refuge in the areas exempted from operations by the armistice, such conduct would be regarded as a breach of faith.<sup>64</sup> But although he told the delegation that the conclusion of a treaty depended upon their suppression of the *ladrones*, Canby really didn't believe that they could accomplish the task alone. The outlaw bands, at least two in number and of indeterminate size,<sup>65</sup> were supposed to be very powerful, being composed of "the most warlike and desperate men of the Nation." He appreciated the fact that "it will hardly be in the power of the peace party to subdue them without . . . assistance." If the coming conference ended favorably, however, he proposed to move against them. And with the help of the friendly chiefs, he had "sanguine hopes of success."<sup>66</sup>

Canby came away from the meeting with the feeling that the Navajo fully recognized the necessity for submission. A "Treaty satisfactory in its terms and in its promise of permanency may now be made," he announced.<sup>67</sup> Accordingly, he turned his attention to the problem of drafting a treaty.

Owing to the peculiar situation, habits and organization of this Nation [Canby wrote the department commander] it will be extremely difficult to manage the terms and conditions of a Treaty so that its stipulations shall be free from future doubt or cavil. . . .

He had further:

63. *Id. to id.*, January 13, 1861, *ibid.*, C16, 1861.

64. *Id. to id.*, January 14, 1861, *ibid.*, C17, 1861.

65. These were the bands of Armijo Viejo and Gallegos. *Id. to id.*, January 13, 1861, *ibid.*, Enclosure in C34, 1861.

66. *Id. to id.*, January 15, 1861, *ibid.*, C18, 1861.

67. *Id. to id.*, January 13, 1861, *ibid.*, C16, 1861.

to guard against the disturbing elements that will constantly militate against its permanency until a greater degree of isolation from their immediate neighbors can be secured and some material changes effected in their tribal organization and nomadic habits.<sup>68</sup>

On learning that Colonel Fauntleroy would not be able to attend the conference, Canby submitted for that officer's consideration the provisions which, in his judgment, ought to be embraced in the treaty.<sup>69</sup> These terms the department commander approved, and in the letter conveying his sanction, the department adjutant concluded:

... he believes that the best guarantee he can have of the proper adjustment of the difficulties with the Navajos, lies in the untrammelled exercise of your judgment [sic]. To which he confidently entrusts the whole business.<sup>70</sup>

On February 5, the council was held, only to find that most of the chiefs had not yet arrived. Canby refused to permit proxies, and since snow and bad weather had obviously detained many of the chiefs, he postponed the conference until the fifteenth.<sup>71</sup>

When that day dawned, twenty-four of the Navaho chiefs were present. The pow-wow commenced. And Canby was ready. During the past month—even more, since December—he had availed himself of every opportunity to become familiar with the character, standing, and influence of each chief with whom he had to deal.<sup>72</sup> He found out as much as he could about Navaho characteristics, disposition, and habits, and ascertained as nearly as possible their present circumstances and resources. Upon this information, he based his actions in the conference.<sup>73</sup>

Immediately after it was over, Canby, in a note to Colonel Fauntleroy, pronounced the results of the meeting "satisfactory."<sup>74</sup> This is what had happened:

68. *Ibid.*

69. *Ibid.*

70. Maury to Canby (Confidential), January 27, 1861, Dept. of N. M., *LS*, X, 540, No. 35.

71. Canby to A. A. G., February 6, 1861, Dept. of N. M., *LR*, C30, 1861.

72. *Id.* to *id.*, December 27, 1860, *ibid.*, C4, 1861.

73. *Id.* to *id.*, February 19, 1861, *ibid.*, C32, 1861.

74. *Id.* to *id.*, February 15, 1861, *ibid.*, C31, 1861.

The chiefs surrendered unconditionally. They accepted the duty of controlling their people and suppressing the *ladrones*, and they promised not to harbor them. They also agreed to confine the movements of their Nation to the area west of Fort Fauntleroy. They elected a head chief, to whom they pledged allegiance, and they delegated twelve of their number to arrange the details of the proposed treaty.

But this affair was not all one-sided. When the combinations of outlaws became too strong for the Navaho chiefs to handle, Canby promised the assistance of the troops. Moreover, he guaranteed to those who conformed to the provisions of the treaty the protection of the government.

A convention was thereupon entered into by Canby and the Navaho chiefs. Another general council was provided for, to meet three months hence. In the interim, Canby was to decide whether the Navaho were able to comply with the conditions imposed upon them. If they were, the treaty was to become final.<sup>75</sup>

At first, Canby had been disposed to exact "the most extensive conditions" from the Navahos, but their "reduced and impoverished" status induced him to limit the requirements to their ability to comply with them. "Justice and policy" dictated such a course. As he later explained to Colonel Fauntleroy:

The stipulations that I have made in their favor have been those only which I consider it proper to make with a view to an absolute and permanent peace. For the same reason I have not exacted from them conditions which it is absolutely impossible for them to fulfil and the subsequent enforcement of which would inevitably lead to the indefinite continuation of hostilities and ultimate extermination of the Nation.<sup>76</sup>

Soon after the meeting, Canby went to Fort Defiance to check up on the behavior of the Navaho living in that neighborhood.<sup>77</sup> By March 1, he had seen all the important chiefs, thirty-two had signed the treaty, and a twenty day dead-line

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75. See *id. to id.*, February 18, 1861, and General Orders No. 14, February 19, 1861, Navajo Expedition and a copy of the Treaty in *ibid.*, C32, 1861.

76. *Ibid.*

77. *Ibid.*



had been set for those who hadn't. "I am satisfied with the present disposition of the Navajos," Canby informed the department commander. "Whether this will continue when the immediate pressure is removed must be determined by the future but," he continued, "I am hopeful of the result if they can be secured from outside aggressions."<sup>78</sup>

That problem was "one of the gravest difficulties" that had to be apprehended in maintaining peace with these people.<sup>79</sup> That is why Canby delimited the area that they were to occupy and suggested that the territorial inhabitants, red and white, be advised of the new state of affairs.<sup>80</sup>

In October, 1860, great numbers of Mexicans had been reported as over-running the Navaho country.<sup>81</sup> Colonel Fauntleroy had informed the General-in-chief, as early as September 9, that the unfortunate relations which rendered necessary active operations was attributable, in part, to the system of retaliatory and predatory incursions persisted in by the citizens of the Territory. He had anticipated "trouble and embarrassment" from the volunteer units which were then being organized and armed "with the avowed purpose of invading the Navajo country. . . ." He foresaw that the officer whom he had chosen to conduct the campaign was likely to be "disconcerted" by their interference.<sup>82</sup> But notwithstanding his assurances that there were regulars enough to perform the task, the War Department's admonition that their movement "must be discountenanced and prevented," and the Territorial governor's belated and half-hearted efforts to dissuade them, companies of New Mexico volunteers took the field anyway.<sup>83</sup>

Colonel Fauntleroy was authorized by the Secretary of War to take "efficient but quiet means" to keep these irregulars from the field. No support or assistance was to be given

78. All had to ratify the treaty, see *ibid.* Also *id.* to *id.*, March 1, 1861, *ibid.* Enclosure in C34, 1861.

79. *Id.* to *id.*, February 19, 1861, *ibid.*, C32, 1861.

80. *Id.* to *id.*, March 18, 1861, *ibid.*, C42, 1861. Also see Fauntleroy to Rencher, February 27, 1861, Dept. of N. M., *LS*, X, 558, No. 83.

81. Maury to Fauntleroy, October 20, 1860, Dept. of N. M., *LS*, X, 489, No. 269.

82. Fauntleroy to Thomas, September 9, 1860, A. G. O., *LR*, 92 New Mexico Department, 1860.

83. *Ibid.*; S. Cooper, A. G., to Fauntleroy, October 29, 1860, A. G. O., *LS*, XXXIII, 58; and *House Exec. Doc. No. 24*, 36th Cong., 2d sess., 8 *et seq.*



to them. And when they came to the posts, or in the vicinity of the troops, they were to be deprived of their booty and sent out of the Indian country. Moreover, these measures were to be "executed with decision, but without clamor or harshness. . . ." <sup>84</sup> So quietly, or so little, was this injunction carried out that it is not known to what extent the operations were hampered by private action. But starting February 27, 1861, this subject was referred to repeatedly.

A few days before, a party of thirty-one New Mexicans from Taos had arrived at Fort Defiance in a starving condition. They had, some time prior, killed one man and six women and children, while capturing four women. But by their own admission, they had nothing personal against the Navaho. The prisoners were taken from them and returned to their families. "As a matter of humanity," the New Mexicans were issued rations. Thereupon, these rogues, in making their way to Fort Fauntleroy, committed "wanton aggressions" upon property belonging to Navaho who had remained friendly all during the recent campaign. Arriving at the latter post, the New Mexicans obtained provisions to carry them back to the settlements and ten of their number received medical attention from the post surgeon for an illness which unfitted them for travel. Nevertheless, they proclaimed their intention to disregard the treaty and, after reaching home, were determined to organize another expedition to capture Navaho and sell them "over the river." The inhabitants of other towns were said to be similarly resolved. Unfortunately, there was nothing that Canby could do to stop them, for that was in the province of the civil police power.

Two Navaho, who were permitted to go east of Fort Fauntleroy, were openly killed by New Mexicans. On the twenty-fourth, two Navaho scouts in the service of the United States, wearing distinctive markings, were fired upon by a party from Jemez. One was killed and promptly scalped. On March 11, half a hundred New Mexicans rustled forty or fifty horses owned by a band of Navaho who were living fifteen miles within the treaty-defined boundary. On

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84. Cooper to Fauntleroy, October 29, 1860, A. G. O., *LS*, XXXIII, 58.

the eighteenth of March, the Navaho reported another inroad by the same people, near the northeastern end of the Tunicha Mountains. The people of fifteen rancherias were killed or carried off. And in this instance, the families harmed were those of some chiefs who were at that moment absent recovering stolen property for the government.<sup>85</sup>

More than four hundred soldiers were employed along the line to give protection to this part of the frontier. The Navaho chiefs were doing their utmost to stop the perpetration of depredations on the settlements by members of their tribe.<sup>86</sup> "It is obvious," Canby declared, "that the best efforts of the troops and the Navaho chiefs will be utterly useless unless this marauding disposition can be restrained."<sup>87</sup> He confessed that, "It is discouraging to find that the past labors of the troops are likely to be defeated by acts of this character and that we have reason to fear that there is no better prospect for the future."<sup>88</sup> Somewhat in desperation, the lieutenant colonel asserted that he would not hesitate to treat as enemies of the United States any New Mexicans or Indians who might be found in the country assigned to the Navaho, while the latter were conforming to the conditions of the treaty. But, as this was a matter of general policy, he left it to the department commander to decide.<sup>89</sup>

Early in April, Lieutenant Colonel Canby visited Santa Fe for a few days. While there, he was interviewed by a representative from the *Gazette* and, in discussing the Navaho situation, he expressed the sentiments which had governed his actions to date. Referring to his remarks, the newspaper commented:

It is most sincerely to be hoped that the anticipations of Col. Canby will be fully realized. Should he be able to bring the Navajos to terms and establish permanent peaceable relations between them and the citizens of the Territory, he will be entitled to the greatest credit and will be heartily thanked. . . .<sup>90</sup>

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85. Canby to A. A. G., Dept. of N. M., February 27; *ibid.*, March 11, C40; *ibid.*, March 18, C42, 1861.

86. *Id.* to *id.*, March 11, 1861, *ibid.*, C40, 1861.

87. *Id.* to *id.*, February 27, 1861, *ibid.*

88. *Id.* to *id.*, March 11, 1861, *ibid.*, C40, 1861.

89. *Id.* to *id.*, February 27, 1861, *ibid.*

90. *Santa Fé Weekly Gazette*, April 13, 1861.

But Canby was not to receive the plaudits of the territorial populace. Though the armistice which he had made in February was extended in May, to last for a year, Navaho incursions were soon renewed—and at a time when the department commander's undivided attention was urgently needed elsewhere.

Where then did someone err? What factors were not taken into consideration? Whose fault was it that the efforts of six long months went for naught?

Basically, the Government's policy which regarded tribes as political entities was wrong. In this case, the warriors of the Navaho Nation, some 1,800 in number,<sup>91</sup> had great personal freedom. The office of chieftain was unstable. Ability in war and possession of wealth influenced the choice. The head chief was a war chief, and enjoyed no authority in time of peace.<sup>92</sup> When Canby, guided presumably by the treaty of December, 1858, made the Navaho elect a figure-head, and called for collective responsibility, he fell into the same error (if it is any compensation) that his immediate predecessor, and many another government officer, had committed.<sup>93</sup>

The methods employed in bringing the Navaho to terms were not those which a strict adherence to War Department mandate admitted. The Secretary of War, in far-off Washington, had decreed the following general rule:

Both humanity and policy dictate that all efforts should have for their object to inspire them [the Navajos] with fear by a few decisive blows for the destruction of life; and not to impoverish them by wantonly destroying their flocks and herds. The latter course must inevitably convert the whole tribe into robbers, and leave no hope for relief from their depredations except by their extermination. An alternative the Government wishes to avoid.<sup>94</sup>

That would have been the ideal way to conduct the war.

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91. *The American Annual Cyclopaedia* . . . [for] 1861 (New York, 1862), 375, gives the population of the tribe as 9,000. Figuring the warriors to be one-fifth the total, the number arrived at is 1,800.

92. Lipps, *op. cit.*, 56-57. Also see Jacob P. Dunn, Jr., *Massacres of the Mountains* . . . (New York, 1886), 254.

93. It is interesting to note the similarities in the treaties of December, 1858, and February, 1861. See Reeve, "Federal Indian Policy in New Mexico," *loc. cit.*, 229-230, for the provisions of the former.

94. Cooper to Fauntleroy, October 29, 1860, A. G. O., *LS*, XXXIII, 58.

But, under the circumstances, how could the results desired have been achieved? It is hard to see how the troops could have delivered so decisive a blow as the War Department contemplated, when they experienced such difficulty in catching up with the elusive foe. Canby followed the Secretary's directive as closely as possible, but, with the department commander's full approval, he seized Navaho flocks in the belief that the Bureau of Indian Affairs would care for the indigent. No evidence has been found, however, that the Bureau furnished food to those left in danger of starvation by the war. And that practice, Canby thought, was the "cheaper remedy" for preventing future depredations.<sup>95</sup>

It is unfortunate that Canby's efforts were futile, particularly as, "In addition to professional [reasons]," he felt "a personal interest in doing the utmost for the permanent settlement of the Navaho troubles."<sup>96</sup> Still, in view of past occurrences, and even though the final responsibility rested with Colonel Fauntleroy, he should have known better than to make peace with the Navaho. Or, at least, he should have been more cautious in doing so. It was obviously inconsistent to demand collective responsibility on the part of the Navaho, when he could not enforce his own promises to protect them from outside aggressions. Yet even that would have been all right, had the territorial officials taken steps to restrain the citizens of the Territory. But the long-standing feud between the New Mexicans and the Navaho caused them to condone many acts which should otherwise have been punished. The Navaho retaliated and the situation resumed the *status quo ante bellum*.<sup>97</sup>

The means of the command also limited Canby. He knew that the subjugation of the Navaho required more than the present campaign. But there was no reason why he shouldn't hope that what had been done might actually be all that was needed to keep them in line. Perhaps he was blinded by his own desire for peace—or maybe the Navaho chiefs outsmarted him, never really intending to fulfill their promises.

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95. Canby to A. A. G., February 19, 1861, Dept. of N. M., *LR*, C32, 1861.

96. *Id.* to *id.*, March 11, 1861, *ibid.*, C39, 1861.

97. See Reeve, "Federal Indian Policy in New Mexico," *loc. cit.*, 245-246.



At any rate, he was willing to see if a new treaty wouldn't work. And so was Colonel Fauntleroy.

But there was yet another factor which contributed to the failure of the campaign. There is no question that the almost immediate withdrawal of the troops from the Navaho country constitutes an important reason why inroads upon the settlements were soon resumed. The hostile attitude of the Mescalero and other bands of Apaches required the presence of the troops elsewhere. But more than that, "the financial embarrassments of the Department, growing out of the disturbed conditions of our Country," made recall absolutely necessary. As the department adjutant divulged in a confidential letter to Lieutenant Colonel Canby on February 24, "The latest intelligence from home (of date Washington City—Feby. 8) is not calculated to abate the anxiety which now oppresses every mind."<sup>98</sup>

Much had happened in national affairs while the Navaho campaign was going on. Lincoln's election had resulted in the secession of the lower South. In February, as Canby was concluding negotiations with the Navaho chiefs, Brevet Major General David E. Twiggs, U. S. A., was surrendering the United States troops (nearly one-fifth the whole army), the military establishments, and all the public property in Texas to the Texan "Commissioners on behalf of the Committee of Public Safety."<sup>99</sup> Many officers were resigning and were 'going with their States.' With April came Sumter. The call for troops, the resulting secession of the upper South, and the stage was set for the internecine struggle.

In the ninth military district of the United States the last abortive Navaho expedition was over. Four years of civil war were in the offing. All that was awaited to make New Mexico the battleground of the far west was the Confederate invasion of the Territory. Once repulsed, attention was again focused on the Nation of the Navaho.<sup>100</sup>

98. Maury to Canby, February 24, 1861, Dept. of N. M., *LS*, X, 555, No. 77.

99. Colonel Carlos A. Waite to Thomas, February 26, 1861, *OR*, I, 524. The surrender occurred on February 18.

100. See Reeve, "Federal Indian Policy in New Mexico," *loc. cit.*, 248 *et seq.*



## CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

(Continued)

### *U. S. Federal emergency relief administration. New Mexico.*

Created in Feb. 1935 for the purpose of assuming the state's responsibility in the fields of public welfare and social security; absorbed by Works progress administration.

Report on Federal relief administration in the state of New Mexico to the House of representatives, eleventh New Mexico legislature by Governor Arthur Seligman. Santa Fe, n.d. 7p.

New Mexico relief bulletin (Spanish edition) Sept. 24, 1934, April, 1935. v.1 no. 1-2. mimeo.

New Mexico relief bulletin. v.1 No. 1-34; v.2 No. 1-9; Jan. 22, 1934-July-Aug., 1935. Santa Fe, 1934-1935.

Title varies:

v.1 N. M. relief bulletin.

v.2 no. 1-4, N. M. emergency relief bulletin.

v.2 no. 5-8/9 The bulletin.

v.1 no. 1-10, Jan 24, 1935-June, 1935 published by the N. M. emergency relief administration and State civil works administration; v.2 no. 8/9, July-August, 1935, published by New Mexico emergency relief and Works progress administration.

No more published; superseded by the U. S. Works progress administration, New Mexico bulletin.

Twelve examples of Navajo weaving from drawings cut on linoleum blocks by Ruth Connely, under the Public works of art project. Thirteenth regional committee . . . contributed by the Thirteenth regional committee of the Public works of art project and the New Mexico relief administration, distributed through the courtesy of the Santa Fe Indian school. Santa Fe, 1935. 12 col. plates.

News release for Spanish newspapers. Santa Fe, 1935.

### *U. S. Works progress administration. New Mexico.*

Established in May 1935 as Emergency relief administration in order to provide relief and increase employment by undertaking useful projects; from July 1, 1939 the name was W. P. A.

Bulletin; official weekly of the New Mexico Works progress administration. Santa Fe, 1935.

v. 1 nos. 1-15; Sept. 19, 1935-June-July, 1936.

Title varies;

v. 1 #12-15 Report (continuing the Bulletin)

Calendar of events, compiled and written by Federal writer's project; illus. by Federal art project of N. M., 1937, Works progress administration; sponsored by the Santa Fe civic league and chamber of commerce, Santa Fe, New Mexico. (Santa Fe, 1937) (32)p. (American Guide series)

Digest of public welfare provisions under the laws of the state of N. M. Nov. 15, 1936. Prepared by Robert C. Lowe and Donna S. Adams, legal research sections under the supervision of A. Ross Eckler, coordinator of special inquiries, Division of social research. p. 2901-2947.

Handbook n.p.n.d. unp. mimeo.

Over the turquoise trail, compiled by the workers of the Federal writer's project of the Works progress administration of N. M. v. 1 no. 1 Santa Fe (1937) 40p. (American guide series)

New Mexico. Northport, New York, Bacon and Wieck (1941) 32p. (American recreation ser. no. 30)

comp. by workers of W. P. A. Writers project, Coronado cuarto centennial commission statewide sponsor of the project.

New Mexico; a guide to the colorful state, compiled by workers of the Writers' program of the Works progress administration in the state of New Mexico . . . Sponsored by the Coronado cuarto centennial commission and the University of New Mexico. New York, Hastings house, 1940. 458p. (American guide series)

New Mexico; a guide to the colorful state, compiled by workers of the Writers' program of the Works progress administration in the state of New Mexico . . . Sponsored by the Coronado cuarto centennial commission and the University of New Mexico. 2d ed. Albuquerque, The University of New Mexico press, 1945. 458 (i.e. 474)p. (American guide series)

The Spanish-American song and game book . . . Compiled by workers of the Writers' program, Music program, and Art program of the Works progress administration in the state of New Mexico. Sponsored by the University of New Mexico. New York, A. S. Barnes and company (1942) 87p.

Report of work conference for teachers and leaders in literary education and recreation. Arranged by Mamie Meadors, under direction of Nina Otero Warren. Santa Fe, 1937. mimeo.

Spanish-American singing games of New Mexico. W. P. A. music project unit no. 3 Rev. 1940. (N.P. 1940) 3p. 27 numb. leaves.

Washington narrative report for New Mexico Works progress administration v. 1 no. 1-(no.17) Sept. 19, 1935-Aug.-Sept., 1936. Santa Fe, 1935-36. 17 nos. in 1 v.

Title varies.

No more published.

*Veterans' service commission.*

Laws of 1919 created a Soldiers settlement board; in 1927 called Disabled soldiers relief commission; in 1929 name was changed to N. M. Veterans' Service commission. The general purpose is to assist veterans, their widows and children in obtaining any information that may be of service to them in connection with any rights they may have acquired as veterans and to assist them in prosecuting any claims that they may have.

Laws, benefits, rights and privileges relating to veterans. 10p.

Laws relating to veterans enacted by the state of New Mexico, comp. by Soldiers relief commission. Santa Fe, n.d. (24) p.

Laws relating to veterans enacted by the 14th legislature. Santa Fe, n.d. (2) p. mimeo.

Minutes of the first meeting of the Soldier settlement board. Albuquerque, 1919. 3p. typew.

Our public domain and the new development era; by Edward Everett Young, chairman. Santa Fe, 1919. 24p.

Service officers' manual, compiled and edited by John W. Chapman. July, 1936. 86p. (Loose leaf forms)

Reports of the governor of New Mexico to the Secretary of the Interior, 1879-1911. Washington, Govt. printing office, 1879-1911. 31v.

1878-79	(Lew Wallace)
1879-80	no report submitted
1880-81	17p. (L. A. Sheldon)
1881-82	no report submitted
1882-83	9p. (L. A. Sheldon)
1883-84	11p. (L. A. Sheldon)
1884-85	11p. (E. G. Ross)
1885-86	12p. (E. G. Ross)
1886-87	19p. (E. G. Ross)
1887-88	18p. (E. G. Ross)

1888-89	25p.	(L. B. Prince)
1889-90	50p.	(L. B. Prince)
1890-91	44p.	(L. B. Prince)
1891-92	39p.	(L. B. Prince)
1892-93	33p.	(W. L. Thornton)
1893-94	45p.	(W. L. Thornton)
1894-95	75p.	(W. L. Thornton)
1895-96	75p.	(W. L. Thornton)
1896-97	164p.	(M. A. Otero)
1897-98	252p.	(M. A. Otero)
1898-99	376p.	(M. A. Otero)
1899-1900	445p.	(M. A. Otero)
1900-01	546p.	(M. A. Otero)
1901-02	680p.	(M. A. Otero)
1902-03	674p.	(M. A. Otero)
1903-04	304p.	(M. A. Otero)
1904-05	225p.	(M. A. Otero)
1905-06	108p.	(H. J. Hagerman)
1906-07	32p.	(George Curry)
1907-08	27p.	(George Curry)
1908-09	28p.	(George Curry)
1909-10	39p.	(Wm. J. Mills)
1910-11	45p.	(Wm. J. Mills)

These reports contain information relative to the territory of New Mexico, its population, resources, industries, climate, general development, etc. They are among the documents which accompany the annual reports of the Secretary of the Interior and therefore are found in the Congressional and Message and document series. They are also issued in separate form.

*(To be continued)*

## Notes and Documents

One of the most stirring episodes in the history of New Mexico was the surprisingly sudden and almost bloodless capture of that province in August of 1846 by the American troops under General Stephen W. Kearny.\* Our knowledge of this invasion stems almost entirely from American sources: from the official records of the War Department, from the journals of the Santa Fe traders, from the diaries of Kearny's own soldiers. Therefore, we know the story as told by the conquerors. But what of the conquered?

As a matter of record the New Mexicans did feel called upon to explain, and their reports have been on file in the archives of Mexico for more than a hundred years. Two of their reports, in English translation, are now made public. They represent both the official and the unofficial New Mexican versions of how the American invasion was received.

One of these documents was a report written to the President of Mexico from Santa Fe on September 26, 1846, and signed by 105 citizens. Among these were many of the most prominent persons in the province. This represents the unofficial report, but in most respects it is more reliable as a document than the official account. The latter was written by Governor Armijo at Chihuahua on September 8, 1846, and sent with three supporting letters to the Minister of Foreign Relations, Interior, and Police at Mexico City. Still another report was made by the Assembly of New Mexico, from Santa Fe on August 20, 1846, but it was obviously more concerned with villifying Armijo than with reporting the events. Since it is not nearly so full an account as that given by the citizens, its text is not presented here. All three of these documents are on file in the *Archivo de la Secretaría de Relaciones Exteriores* in Mexico City.<sup>1</sup>

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\* These documents with critical comments were submitted for publication by Professor Max L. Moorhead, Professor of History at the University of Oklahoma.

1. Ciudadanos de Nuevo México, *Relación.....de la invasión norteamericana*, L.E.-1088, Tomo XXXIV, 270-282; Gobernador de Nuevo México, *Sobre la invasión a su Departamento*, L.E.-1085, Tomo XXXI, 171-179; Asamblea del Departamento de Nuevo México, *Manifiesto*, L.E.-1093, Tomo XXXIX, 76-79. These manuscripts were



Curiously enough, none of these reports mentions the part played in the American invasion by the merchant James Wiley Magoffin. Magoffin was commissioned by President Polk on June 18, 1846, to "render important services" in the occupation of New Mexico. He accompanied Captain Philip St. George Cooke and a small military escort from the American camp on the Arkansas to Santa Fe and delivered Kearny's ultimatum to Governor Armijo on August 12. There is abundant, though inconclusive, evidence indicating that Magoffin persuaded Armijo and his lieutenant-governor to surrender the province without resistance,<sup>2</sup> but neither the governor nor the citizens (nor for that matter the Assembly) even mention Magoffin.

In comparing the two contradictory reports which follow, it should be kept in mind that both the citizens and the governor of New Mexico were trying to absolve themselves from blame for their failure to defend the province. In Armijo's case the attempt to justify his action may have been born of desperation as he was then facing a court-martial in Chihuahua.

Report of the Citizens of New Mexico to the President of Mexico  
Santa Fe, September 26, 1846

Very Excellent Señor Presidente:

We, the citizens of New Mexico, desiring that a circumstantial relation of the manner and means by which the North American Republic took possession of this country be made known to Your Excellency, have deemed it our duty to make an exact report to Your Excellency of what happened. The object of our intention is to relate the facts as they occurred and to explain the circumstances in which we found ourselves. We do not wish to attack the reputation of any person unjustly, [but] we do wish that the conduct of New Mexico on finding itself invaded by the troops of North America be published, as we are all proud of our good reputation and fame. It will be difficult for us to cite the dates of the official communications of the period as we do not have them at hand, but we still remember the principal incidents, since they are so recent, and we shall relate them to Your Excellency in the order they happened and without adulteration.

At the end of last June the Prefect of the 2nd District [Taos] ad-  
found and copied as part of a research project sponsored by the American Philosophical Society.

2. See especially "The Magoffin Papers," edited by William E. Connelley, in *Historical Society of New Mexico, Publications*, No. 24 (1921), 42-63.

vised the Very Excellent Governor and Commandant-General Don Manuel Armijo with special urgency that he had been assured that some of the citizens of the new settlement of Poni had been on the Vermejo River with some soldiers of the United States who told them that a little way up-stream there was a party of six hundred troops, the vanguard of an army sent to invade this Department; and that the main body of that army was already coming here from the Arkansas River.<sup>3</sup>

Immediately, on July 1st, His Excellency issued a circular to the commandants of the militias of the three districts of the Department, ordering them to place their companies and all inhabitants from the ages of sixteen to fifty-nine, *inclusive*, under arms and bring to the capital of Santa Fe all the forces they could muster from the 1st and 3rd Districts, leaving those of the 2nd on the Taos frontier. The commandant of the latter sent a party to reconnoiter the frontier, and Sr. Armijo arranged for Lieutenant Don Tomás Armijo to do the same. Both the party mentioned and the said Lieutenant returned in a few days and reported that although they had reached the Vermejo River, they had found signs that only a small party of Americans had been there; that it could not be learned whether they were troops or hunters; but that they had retired toward the Arkansas. As a result, Sr. Armijo issued another circular, on July 8, ordering all the inhabitants who had been mobilized to return to their homes but to be ready for action at a moment's notice.

On the 10th of the same month His Excellency received another message, sent from the town of Independence by four New Mexican merchants, advising him that, at the time they were writing, a respectable body of the North American army was marching toward this Department to occupy it on orders of the United States; that the General who commanded it had assured them that their mercantile interests would run no risk, whatever the results of the expedition should be; that he was allowing them to send this letter and was giving orders to his advance troops not to impede its passage. The only thing denied them was for their merchandise to go on in advance of the army, they being expressly ordered to place it in the rear guard.

Thus, assured of the march of the invading army, Sr. Armijo called a meeting of the authorities and principal residents of the Department, including the licentiate Don Antonio Jáquez and Don Jesús Palacios of Chihuahua, who, also being in the Department, were summoned to Santa Fe. And having shown the said junta the contents of the communication he had received and having consulted with it as to whether

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3. According to the Assembly of New Mexico, Governor Armijo had been in correspondence with "influential persons" in the United States for a long time, and especially since January, and that he had received advance warnings of the impending American invasion. By May at the latest he knew beyond all doubt that the invasion was being prepared. Asamblea de Nuevo México, *Manifiesto*, Aug. 20, 1846, *loc. cit.*, 76-77.

or not the Department should be defended, His Excellency called upon Sr. Palacios, who declared that in his opinion the question of whether or not the Department should be defended should not be even considered as the right to do so was well recognized, that the purpose of the junta should be merely to discuss the means of defence. Sr. Jáquez expressed substantially the same idea, and after a long discussion in which all exhibited their utmost patriotism, they concluded by offering that His Excellency might dispose of their lives and properties for the defence of the country. His Excellency offered his most expressive gratitude for the feelings which they harbored. Reiterating that they should be ready on a moment's notice, he explained that, for his part, he was prepared to sacrifice his own life and property on the altars of the fatherland. With that he dissolved the junta.

On the 1st or 2nd of August, Don Pío Sambrano, a merchant from Chihuahua, arrived at this city and advised His Excellency that the North American expedition was coming; that the army was composed of five thousand men, more or less;<sup>4</sup> that it carried fourteen pieces of artillery; that it had already begun its march from Bent's Fort toward this city; and that an officer would arrive within three or four days with papers from the North American general addressed to His Excellency Sr. Armijo.

This came to pass, and the contents of the correspondence mentioned reduced itself to General Kearny telling Sr. Armijo that he was coming under orders of the government of the United States to take possession of this Department and would attack if resistance were made; if not, he would respect the lives, property, and religion of its inhabitants.<sup>5</sup> Sr. Armijo answered that he did not wish to surrender the Department under his command, nor should he, nor could he; that the people under his leadership harbored these same feelings.<sup>6</sup> Later His Excellency received news through various channels that the invading army was composed of only one thousand five hundred men.

In these circumstances he re-issued orders to the three Districts through their military chiefs and prefects to muster all the military and civilian forces available at once and concentrate them in Santa Fe. These events he reported to the honorable Assembly at once and asked it for funds amounting to one thousand pesos to cover the needs of the regular troops. The very excellent corporation responded by giving him authority to negotiate a loan of the said sum, the Department's revenues being mortgaged under the responsibility of the same

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4. This exaggeration may have been due to the presence of a large caravan of merchants accompanying the army. Sambrano was apparently one of the Mexican merchants engaged in the Missouri trade who, along with the American merchants, were restrained from going on ahead of the American forces. After reaching his camp on the Arkansas, Kearny allowed Sambrano to proceed to Santa Fe to inform the New Mexican government of the intentions of the U. S. troops. See Asamblea de Nuevo México, *Manifiesto*, loc. cit., 77.

5. For the full text of Kearny's letter to Armijo, see below.

6. For the full text of Armijo's reply to Kearny, see below.

very excellent corporation. Sr. Armijo did not utilize this resource.

On August 8th the forces from outside began to arrive at this city, and on the 14th they began to leave in order to situate themselves in the Cañon de Pecos, five leagues from here.<sup>7</sup> On that day His Excellency also began to exempt from joining the campaign all those who paid him a given sum, from twenty to two hundred pesos, and these amounted to forty-five persons. He also ordered the opening of a voluntary subscription under the direction of the Prefect of this city in order to collect cash for the expenses of the campaign, and he received the sum which the said Prefect collected. We do not know what the total was, nor what disposition he made of it. Afterwards he ordered that the municipal funds of the very illustrious Council of this city be surrendered to him for the same purpose. This was done, but he refused to give receipt for the one hundred and seventy-some pesos which were delivered. On the 15th he dictated a measure providing for the seizure of horses and mules from the residents of this city in order to mount his regular troops. These consisted of two hundred and fifty dragoons and garrison soldiers,<sup>8</sup> many of whom were still unmounted as the horses and mules which had been previously received from the citizens outside the capital had not been sufficient for this purpose.

More than four thousand men—mounted, armed, and supplied with ammunition as best they could at their own expense—presented themselves to His Excellency to aid in the defense of the country.<sup>9</sup> For sixty leagues around from this city these masses rushed in at the call of their government, abandoning their families and property. These they left exposed to the incursions of the savages, who, not losing the opportunity offered them, attacked several points on the frontier, stealing what they could, killing several families, and carrying off some women and children as prisoners.

On the 16th Sr. Armijo left this city with his dragoons and the remaining residents for the said Cañon de Pecos, where the other inhabitants were waiting encamped. They carried four pieces of artillery of 4- and 6-calibre narrow-taper. He also issued an order for the members of the very excellent Departmental Assembly and the principal residents of this city and the surrounding country who were present to accompany him. This was carried out in part. Having camped in the said canyon and having convened the members of the honorable Assembly there, His Excellency invited them to advise him whether to defend the Department or enter into negotiations with the enemy. To this one of the gentlemen replied that such was not the place for deliberations; that they had gathered there not as members of the very excellent corporation, although they were proud of belonging to

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7. According to Armijo's report, the order for the recruits to assemble at Santa Fe was issued August 9, and they were finally assembled there August 14. See below.

8. There were two hundred regulars according to Armijo. See below.

9. The Assembly's report also says there were over four thousand recruits. Asamblea de Nuevo México, *Manifiesto*, loc. cit., 77. Armijo reported that they amounted to only eighteen hundred. See below.



it, but as soldiers; that it behooved them to act as such, doing as they were ordered. Thereupon His Excellency assembled the militia officers and the leading inhabitants and consulted with them on the course he should follow under the circumstances. The only one who spoke said that they had been gathered in the field to fight, that they should and wished to do so. His Excellency then replied that he would not risk facing battle with people lacking military training, and that he would do whatever seemed fitting to him and with his [regular] troops. After that he ordered them [the militia and civilians] to return to their homes. Then he assembled the officers of the regular troops and consulted with them on the measures to be taken, the enemy being then five leagues away. They replied that they would advance and give battle. When this decision was heard by the troops, it was received with simultaneous *vivas* and spontaneous acclamation. His Excellency then said he [too] was resolved to press forward. But as soon as the citizenry retired, instead of advancing he and the dragoons and artillery retreated.<sup>10</sup>

On leaving this city, Sr. Armijo left the political and military command of the Department in charge of the Secretary of Government [Juan Bautista Vijil y Alarid], ignoring those whom the laws designated to occupy these posts.

This Very Excellent Sir, is what happened in the Department of New Mexico and to its inhabitants. On retiring from the field on orders from Sr. Armijo, they were publicly insulted with the epithet of cowards by this same gentleman after they had rallied to him in compliance with their duty and desire.

We later learned that His Excellency took similar leave of the members of the Department's garrison companies: the Santa Fe, Taos, and Vado. He ignored the good and constant services of these old troops of the Mexican Republic who had given no cause for being treated in such a manner. He then abandoned the artillery and took with him about thirty or forty dragoons from the regular cavalry's 2nd and 3rd regiments, apparently those whom he deemed necessary for an escort through the deserted terrain which he crossed in his shameless flight. He also took the horses and mules which he had seized from the inhabitants and on which his troops were mounted.<sup>11</sup>

As a result, the troops of the United States occupied this city on August 18th without the slightest resistance.

Very Excellent Sir, we wish that the conduct of our governor and

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10. This account of the patriotic disposition of both the civilian and regular troops is substantially the same as that reported by the Assembly. *Asamblea de Nuevo México, Manifiesto, loc. cit.*, 78. Armijo's report offers a quite different version. See below.

11. According to the Assembly, Armijo, after dismissing the auxiliary forces, retreated to Cañada de los Alamos, where he spent the night. That evening some desertion occurred, and on the next day (August 17), he dismissed all except the dragoons. *Asamblea de Nuevo México, Manifiesto, loc. cit.*, 78-79. According to Armijo, all deserted except seventy dragoons, and they accompanied him on his retreat to Chihuahua. See below.



commandant-general, Don Manuel Armijo, had been other than it was as we are all interested in the good name and reputation of the Mexican Republic and the honor of its army. There were not lacking those who would have advised His Excellency as a last resort in those anxious circumstances to send an official communication to the North American general saying that he was retiring with his military forces to the right bank of the Río Bravo del Norte until the Mexican government should give him further orders, as they were not sufficient to give battle; that he would protest before the entire world, before God and men, that he did not recognize this Department as territory of the United States, as it had never been a part of Texas; but that, obliged by the circumstances, he was beginning a military retreat, declaring with the greatest solemnity that the Department of New Mexico was not surrendering to the republic of North America. But he did not wish to adopt this measure. It would have saved his military reputation and in some measure covered his responsibility.

Since the middle of last June His Excellency Sr. Armijo knew beyond doubt that the [American] expedition would arrive this year. He also received definite news of the said expedition on July 10th, through the four merchants from this Department whom we have mentioned. Very early in August, Sr. Don Pío Sambrano arrived at this city and he, too, told him that the said expedition was on the road. If he had mustered the citizenry in July which he gathered later; if he had marched with it and his troops to meet the enemy then, not at the gateway of the city as he did, but at the greatest possible distance from it; if he had not allowed the more than fifty thousand pesos entering the frontier customs house of this city in July to be invested in other than the organization of the country's defense; if he had raised and trained companies for that purpose, as he had more than enough men with arms, horses, and their own equipment; if the money he collected from exempting some individuals from the campaign had been put to the same use; if he also had designated the same purpose for that collected by voluntary subscription in this city and for that which he received from the municipal funds; if he had arranged in time for the production of munitions of war, for which there was more than enough powder and lead in the Department; if he had purchased some food supplies to have in reserve; if he had taken advantage of the good disposition which all of the citizens exhibited at the junta which he convoked in this city, in which they offered him their lives and property; if he had accepted the generous offers of the same which the visiting vicar and various other wealthy residents of the Department had made him; and finally, if he had personally marched to the frontier with the forces which he could have had at his disposal: without doubt we would have fought the invaders, firing at them day and night. We would have managed to surprise them and seize their horses, to ambush them in the waterless deserts, to burn their pasturage, to take advantage of the almost inaccessible mountain passes which they had to cross, and,

finally, we would have made some kind of resistance. It would be a great deal for us to venture that victory would have crowned our efforts, but at least we would have had the honor of having tried. Nothing, absolutely nothing was done. And Sr. Armijo can say full well: *I have lost everything, including honor.*

More than four thousand men are witness to the deeds which we have related. The entire Department is convinced of the truth of our assertions, and our honor, more than any other consideration, has obliged us to send Your Excellency this repetitious manifesto so that at no time may it be believed that we have been a disgrace to the Mexican nation, with which we are bound by so many ties. We offer Your Excellency our most distinguished respects and attentive considerations.

God and Liberty. Santa Fe. September 26, 1846.

[signed]<sup>12</sup> Antonio Sandoval; Juan A. Ortiz, vicario foraneo; Tomas Ortiz; Vicente Otero; Jose Francisco Baca y Terras, prefecto interino del Departamento; Donaciano Vigil; Jose Serafin Ramirez y Casanoba, contador de la tesoreria; Jose Francisco Ortiz, capitan de Ejercito; Pablo Dominguez; Francisco Sabedra; Nicolas Pino; Antonio Jose Otero; Manuel Doroteo Pino; Jose Maria Uranga [?]; Jose Maria Abreu; Miguel de Olona [?] y Ortiz; Nicolas Quintana; Toribio Sedillo; Cesilio Robles; Domingo Fernandez; Tomas Armijo; Francisco Baca Ortiz, capitan de Ejercito; Antonio Sena y Rivera; Miguel E. Pino; Jose Francisco Sena; Ignacio Moya; Juan Esteban Sena; Jose Fenovio [?]; Juan Otero; Anastacio Sandoval; Jesus Maria de Arce y Olguin; Manuel Antonio Otero; Felipe Sandoval; Francisco Sandoval; Nerio Antonio Montolla; Francisco Ortiz y Delgado, capitan de Ejercito; Narciso Feliz; Simon Delgado; Tomas Rivera; Bto. Amo. Larra-goitia [?]; Manuel Navares; Jose del Balle; Jorge Ramirez; Antonio Alarid y Sanchez; Jose Miguel Romero; Jose Emeterio Perea; Fernando Ortiz y Delgado; Manuel Delgado; Clemente Sarrasino, prefecto del Distrito; Jose Antonio Otero, casa de Sandia; Julian Perea; Juan Perea; Jose Maria Gutierrez; Jose Perea; Julian Lucero [?]; Blas Lucero; Jose Francisco Tilla [?]; Juan Jose Lucero; Santiago Gonzalez; Juan Domingo Valensia; Mariano Yrizarri; Jose Gonzalez; Manuel Armijo [obviously not Gov. Armijo]; Rafael Armijo; Jose Maria — [?], juez de la Ynstancia; Juan Sanches y Castillo, juez de paz de Valencia; Andres Lujan; Vicente Armijo; Francisco Aragon; Manuel Sanchez; Pedro Otero; Francisco Antonio Otero; Salvador Gonzalez; Jose Chavez; Jose Gregorio Aragon; Juan Salazar; Miguel Antonio Otero; Bentura Toledo; Jose Salazar; Jose de Jesus Lujan; Jose de Jesus Baca; Felipe Valles; Jose Salazar y Otero; Jose Ygnacio Salazar; Jose Antonio Chavez; Juan de Jesus Chavez; Jose Francisco Chavez y Baca; Juakin Alejandro Bassan; Mariano Silva; Juan Geronimo Flora [?]; Miguel Beita; Nicolas Valencia, cura de Belen;

12. There are 105 of these signatures, some few of which are so badly scrawled that their identity is in question.

Francisco Pino; Antonio Jose Castillo; Jose Maria Chaves y Pino; Bisente Baca; Jose Felipe Castillo; Manuel Pino; Juakin Padilla; Thomas Luna [?]; Antonio Jose Luna; Francisco Sarracino; J Manuel Gallegos; Juan Nepomuceno Gutierrez; Jose Vicente Suarez [?], cura del Socorro.

Report of Gov. Manuel Armijo to the Minister of Foreign Relations,  
Interior and Police

CHIHUAHUA, SEPTEMBER 8, 1846

By the special communications which I sent to Your Excellency<sup>13</sup> the Very Excellent Sr. General-in-Chief of the Army of the Republic, who today assumes the Executive authority of the nation, will be advised that the United States, that perfidious and faithless power, sent a force numbering from three to four thousand men<sup>14</sup> to occupy the State under my command. Immediately I formed auxiliary companies with their respective chiefs, [composed] of all the citizens in the Department who had arms; I sent out scouts to observe them, and they advised me of everything. And I reported to the commandants-general of Chihuahua and Durango, informing them that with the small military force which I had, it was impossible to resist that which was coming from the United States to invade my Department; that even though I had some armed citizens, in all they were short of artillery, and I had no means at all of supplying them; and that I hoped that out of the patriotism they would reinforce me without loss of time in the most efficacious manner possible so as to punish the boldness of those usurpers who were coming to make themselves masters of the richest and most fertile departments in the Nation. While awaiting these reinforcements (which I did not receive because the Commandant-General of Chihuahua was unable to reach even the first settlements of my Department and that of Durango did not even leave his capital), but not failing to prepare my own defence, making use of such resources as my Department had, I received notice on the 9th of last month [August] from the scouts which I had sent that the forces of the United States were at Bent's Fort.<sup>15</sup> I also learned, through one of the Mexicans who managed to leave the enemy camp and join my scouts, that the force which was coming was of not less than two thousand five hundred men, nor more than three thousand; that they carried twenty-four pieces of artillery of large calibre, well-supplied and well-mounted. On the 11th Captain Cú [Cooke] with twelve dragoons presented himself to me and delivered a communication from the chief of the enemy forces, which I enclose for Your Excellency, in the copy

13. These earlier and presumably briefer reports are not on file in the Archivo de la Secretaría de Relaciones Exteriores.

14. See above, f.n.4.

15. According to the report of the citizens, Armijo received this information on the 1st or 2nd of August. See above.

marked No. 1.<sup>16</sup> It was answered immediately in the terms which Your Excellency will see in the copy No. 2.<sup>17</sup>

On the 9th of the month mentioned, when I learned that the enemy's forces were at Bent's Fort, I ordered the auxiliary companies that I had formed to be moved.<sup>18</sup> At last, on the 14th, I got them assembled—one thousand eight hundred men in number<sup>19</sup>—not having been able to accomplish this before because they were dispersed throughout the towns. And on the 15th I gave orders for them to march out of Santa Fe and await me at seven or eight leagues distance, where I joined them with two hundred men, which including the officers was all the [regular] military force there was in the Department.<sup>20</sup> On the 16th I started my march with the said force, and on the same day I joined the auxiliaries who were waiting for me.

As I was informed that all of the auxiliary companies were not disposed to offer resistance, I immediately convoked a junta of officers with all of the most influential persons of the Department who accompanied me for the purpose of endorsing my decision. After they were convened I informed them that the enemy forces were two leagues away, that the hour of combat was approaching, that their patriotism and the advantageous position which we held [Apache Pass] made me believe that we would obtain a complete victory, and finally I stirred up their patriotism by every means I could think of. But unfortunately all was in vain. The first indication which the captains of the auxiliary companies gave me was that the soldiers did not want to offer any resistance because they did not have supplies or artillery, and that they did not wish to sacrifice themselves uselessly and fill their country with more calamities. Having just made this manifestation, all retreated, and only the two hundred men with whom I had left Santa Fe remained with me. Later I convoked a council of officers in which it was resolved unanimously to retreat until we could join forces with the Commandant-General of Chihuahua, which should [then] have been very near our first settlements. This resolution I adopted as I believed it to be prudent under those circumstances. I suspected with good reason that the garrison companies, which comprised the major part of my force, would take the same resolution as our auxiliaries. This occurred that night. All the others deserted, and on the following day [August 17th] the remainder, leaving only of the said companies Captain Antonio Sena, the prefect of the 1st District of Santa Fe; Graduate Lieutenant Colonel Francisco Martínez, and Alferez Gaspar Ortiz, worthy certainly of the consideration of the Supreme Government, for

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16. See below.

17. See below.

18. The report of the citizens implies that the order was issued earlier in stating that the forces began to arrive in Santa Fe on August 8th. See above.

19. "Over four thousand men," according to the citizens' report. See above.

20. According to the citizens the militia began to leave Santa Fe on August 14th rather than the 15th, and the regulars numbered two hundred and fifty men. See above.



they abandoned their families and possessions rather than follow the bad example of their comrades.<sup>21</sup>

On the 17th, my forces being reduced to seventy dragoons with three pieces of artillery and one howitzer, badly-mounted and worse-supplied, I began my march [*i. e.*, retreat]. That evening, having received word that I was being pursued by the enemy, I decided to force my march and, the artillery impeding me, I ordered it spiked at El Mano de las Gallinas, between the points of Galisteo and Serillos. On the 20th I made special report of all these occurrences to the Commandant-General of Chihuahua,<sup>22</sup> assuring him that I would force my marches as much as possible until joining his forces, but no matter how strenuously I did so, I was unable to reach them short of the town of El Paso del Norte. There I put the small force that remained with me at his orders, and from there we continued our march to this capital [Chihuahua].

These, Very Excellent Señor, are the facts which caused me with deepest sorrow to retreat from my Department. They prove sufficiently that there was no other prudent resolution to adopt. Why and with what justice should I decide to sacrifice uselessly the Valient Seventy who accompanied me when they could come to this frontier (which finds itself threatened by the same enemies and exposed to the same fate as my Department), increase the ranks of their brothers, and if necessary sacrifice themselves, but with honor and for the glory of the Nation? These are the sentiments in my heart, proved by the facts. I abandoned my family and my property, and with the dignity which my post requires, I refused the offers of my enemies, as Your Excellency will see in the accompanying letter, No. 3,<sup>23</sup> in order to come to this frontier and offer my services to the Excellent Sr. Governor and to the Commandant-General, while the Very Excellent Sr. President disposes of my person in the manner which he may believe most fitting.

Please, Your Excellency, inform the Very Excellent Sr. President of the above and accept the most sincere manifestations of my consideration and appreciation. God and Liberty. Chihuahua, September 8, 1846.

[signed] Manuel Armijo.

The three letters which Armijo submitted in support of the foregoing report are worthy of some consideration. The first of these—Kearny's offer of terms to Armijo on August

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21. Contrast this version of the attitude and comportment of the troops and civilians with that given in the report of the citizens, above.

22. This report is probably filed in the Archivo de la Secretaría de la Defensa Nacional at Mexico City. The historical materials of this depository are now being catalogued by Luis Zevallos of the Archivo General de la Nación, and a guide is being published entitled *Guía del Archivo Histórico Militar de México*. These records have not as yet been made public.

23. See below.



1st—reveals the United States policy of attempting to gain possession of New Mexico without bloodshed. But it also conceals the true military objective: occupation by the United States of the entire province, on both sides of the Rio Grande.

The second of these letters—Armijo's reply to Kearny on August 12th—is disappointing in that any hint of secret negotiations for a surrender carried on by the American agent James Wiley Magoffin is conspicuously absent. In his reply Armijo categorically refuses to surrender any portion of the territory and even threatens the Americans with armed resistance. At the same time, however, he leaves the door open for further negotiations with Kearny. This would seem to indicate that if secret negotiations were under way in Santa Fe, they had not reached a successful conclusion at this date unless, of course, Kearny was not a party to the understanding.

As for the third letter—from Henry Connelly<sup>24</sup> to Armijo on August 19th—some explanation is necessary. It was written on behalf of Kearny on the day after the American occupation of Santa Fe, and its purpose was to induce Armijo, who was then in flight toward Chihuahua, to return under a guarantee of amnesty. Armijo did not take advantage of the offer. After reaching El Paso del Norte and meeting the reinforcements arriving from Chihuahua, Armijo was placed under temporary arrest. He was allowed to write and despatch the report from Chihuahua quoted above and then to proceed to Mexico City to give a verbal account of his conduct in New Mexico to the central government. What happened in the capital has not been made public, but Armijo was apparently exonerated, for he was back in New Mexico as a private citizen after the war, and remained there until his death on December 9, 1853.<sup>25</sup>

24. Connelly, who later became governor of the Territory of New Mexico, was at this time an American merchant who had resided in the city of Chihuahua since 1828 and had come to Santa Fe at the outbreak of the war. When Kearny offered his terms to Armijo, Connelly accompanied the official emissary, Capt. Philip St. George Cooke, to the American commander with Armijo's reply. If Connelly carried a separate and secret message from the governor, it has never come to light. For fuller biographical information, see William E. Connelley (Ed.), *Doniphan's Expedition and the Conquest of New Mexico and California* (Topeka, Kans., 1907), 276-282, note 65.

25. Ralph E. Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids,

## No. 1

Col. Stephen W. Kearny to Governor Manuel Armijo, General Headquarters of the Army of the West, Encampment on the Arkansas, Bent's Fort, August 1, 1846<sup>26</sup>

Sir:

By the annexation of Texas to the United States, the Rio Grande from its mouth to its source forms the present dividing line between the United States and Mexico, and I come by order of my Government to take possession of the Country, over a part of which you are now presiding as Governor. I come as a friend, and with the disposition and intention to consider all Mexicans and others as friends who will remain quietly and peaceably at their homes and attend to their own affairs. Such persons shall not be disturbed by any one under my command, either in their person, their property, or their religion. I pledge myself to the fulfillment of this promise. I come to this part of the United States with a strong military force, and a yet stronger one is now following as a reinforcement to us. We have many more troops than sufficient to put down any opposition that you can possibly bring against us, and I therefore, for the sake of humanity, call upon you to submit to fate and to meet me with the same feeling of peace and friendship which I now entertain for and offer to you and to all those over whom you are governor. If you do so, it will be greatly to your own interest and to that of all your countrymen, and for which you will receive their blessing and their prayers. Should you however decide otherwise, determine upon resistance and oppose [array?] the troops you can raise against us, I then say, the blood which may follow, the suffering and the misery which may ensue, will rest on your head, and instead of the blessing of your Countrymen, you will receive their curses, for I shall consider all, whom you bring in arms against us, as enemies and will treat them accordingly. I am sending Your Excellency this communication by Captain Cooke, of my own Regiment, and I recommend to your goodness and attention both him and his small party of 12 Dragoons.

With great respect, your obedient servant,

Stephen W. Kearny, Colonel of the 1st Dragoons.

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Iowa, 1912), II, 208, note 145. On his way south from Chihuahua, on September 12, 1846, Armijo, travelling with a merchant train in which he had an investment, met the English traveller Ruxton. The governor's reputation as a coward during the American invasion had travelled faster and farther than he moved himself. When confronted by this charge from Ruxton, Armijo asserted that all of his army had deserted except a small escort. George F. Ruxton, *Adventures in Mexico and the Rocky Mountains* (London, 1849), 110.

26. As the English copy in the United States National Archives (Adjutant General's Office Files, War Department, 163-K-1846, enclosure) and the Spanish copy submitted by Armijo are substantially the same, the wording of the former is used here rather than a new translation of the latter.

## No. 2

Governor Manuel Armijo to Stephen W. Kearny, Santa Fe,  
August 12, 1846<sup>27</sup>

Your Lordship's note of the current dated at the Arkansas Camp has informed me that on orders from your Government and by virtue of the annexation of the Department of Texas, the Río Bravo del Norte from its mouth to its source has been declared by your Government to be the dividing line between that Republic and this; and that as a result Your Lordship has orders to take possession of the major part of the terrain which my Department occupies, pledging to me that if these inhabitants remain quietly at their affairs, you will treat them with respect in their property, persons, and religion, not molesting them in any manner; and that otherwise you will treat them as enemies and make me responsible for the blood which might be shed. As Your Lordship's communication involves several parts, it will be necessary for me to answer them according to their merits.

In regard to your Government's intimation and declaration of boundaries, I cannot agree [to this] under any condition as that line, which has been recognized by both countries ever since the time of the Spanish Government, is at another very distinct place. Even though Texas was a part of Mexico before its annexation, additional land cannot be taken [as part of Texas] without the recognition by my Government of its inclusion previously and not at the conclusion of the differences between the two Governments. As for the Río del Norte being [the boundary], as you maintain, such an acquisition, quite the contrary, should never be considered legal even though it should be effected peacefully. The people have risen *en masse* as an immovable force to oppose the suggestion which Your Lordship has made me to surrender the Department. I cannot, I do not wish to, nor ought I, oppose their will; and, honoring their expression and my duty as General, as Governor, and as a Mexican citizen, I am placing myself at their head. I shall advance as far as Las Vegas, where I shall establish my General Headquarters. If you do not cross the Sapello River with your forces, we will negotiate this matter from the two sides and enter into a reasonable transaction, as you have offered. I fully desire, just as Your Lordship does, to save bloodshed. In case by some events its effusion cannot be avoided, none of the responsibility should be mine, for self-preservation is a natural thing, and whatever finds itself clearly attacked and its repose disturbed should accordingly resist. This is all the more necessary since I have more than enough forces to repel your aggression. I am determined to open the door to a frank discussion of the present question, and after the justice of my contention is established and the differ-

27. The version of this letter quoted by Lt. William H. Emory in his *Notes of a Military Reconnaissance* (Washington, 1848), 25, is a liberal translation and is extremely summarized. That quoted here is translated from a copy of the original, certified by Armijo's secretary, Antonio Sena, at Chihuahua, September 8, 1846.

ences resolved in conformity with the rights of man and to the honor of both nations, I shall consider Your Excellency's sentiments of peace and friendship in the spirit in which you offer them. And by the same token I offer my own in the same manner, as I wish to know your views, but it will be as I have already said, without denying the rights of my country. Captain Cooke will show Your Lordship the terms in which I have considered your recommendations. God and Liberty. Santa Fe, August 12, 1846.

M. A.

No. 3

Henry Connelly to General Manuel Armijo, Santa Fe,  
August 18, 1846.<sup>28</sup>

My esteemed friend:

I was informed through Doña Gertrudes Barcelo<sup>29</sup> of the situation in which you found yourself, and, with the desire of learning something of the security you might expect in the present circumstances, I at once saw Gen. Kearny. He has assured me that your person and interests are as secure as if Gen. Armijo governed. He tells me that you should Come with the troops and the close friends who accompany you, with the Armament which they carry and the Artillery, if it is possible to bring it; that at a short distance from the city you should request a parley with Gen K: It will be granted. Then you will surrender the authority of Governor and Commandant with the forces which accompany it. If Gen. Armijo wishes to be a citizen of the United States and to reside in New Mexico, [he shall] swear to uphold the laws and the constitution established by that Government. If he does not wish to be a citizen of the said states, and if he interns himself under the Mexican Govenment, he will be permitted to do so without oath.

Friend, the above is the truth and you may believe it in faith, without fear that any danger will result to your person or property. I advise you, my dear friend, to return to Santa Fe without delay, following the steps already indicated, and we shall have the pleasure of seeing our Friend again, safe from dangers and safe from the responsibilities of Government. I have much to tell you that is too involved and lengthy to write, and in truth I am very pleased to know that you are well. Enjoy every pleasure until you should be pleased to present yourself to Gen K. Do not fear, Gen. Armijo. For all of the above I answer with my life, as the friend which I am.

Attentive[ly] I kiss your hand,

Enrrique Conely.

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28. This letter is here translated from a Spanish copy of the original, certified by Armijo's secretary, Antonio Sena, at Chihuahua, Sept. 8, 1846.

29. The notorious "La Tules," mistress and confidant of Gov. Armijo.

[For a recent study and revised interpretation of Doña Tules, see Fray Angelico Chavez, "Doña Tules, Her Fame and Her Funeral," *El Palacio*, vol. 57, no. 8 (August, 1950) Ed.]



## Book Reviews

*Ruxton of the Rockies*: Collected by Clyde and Mae Reed Porter. Edited by LeRoy R. Hafen. Norman: University of Oklahoma Press, 1950. Pp. xxii, 325. \$5.00.

George Frederick Augustus Ruxton—Ruxton of the Rockies—has at long last been rescued from obscurity and given the rightful place he fully deserves in the history of the far American West. To Mr. and Mrs. Clyde Porter goes great credit for this happy consummation. Their search for material is a fascinating story.

In 1846-1848, this young Englishman entered Mexico at Vera Cruz, went on to Mexico City, and then penetrated directly into the frontiers of northern Mexico and the Rocky Mountain west, which the United States at that moment was acquiring from Mexico by right of conquest. Back in England within a short time after his emergence from the wilderness, he produced in record time two literary works of unusual excellence, one of which, *Life In The Far West*, was destined to be regarded as highly as the great volumes, *Wah-To-Yah*, by Louis H. Garrard, and *The Oregon Trail*, by Francis Parkman. All three of these historical classics were written under somewhat similar circumstances and almost simultaneously. And in all three instances these talented young men, their imaginations stimulated to the point of genius by the frontier, brought forth productions that will continue to be read breathlessly as long as men enjoy romance and adventure.

In the case of Ruxton very little was known until recently, since his career was cut short by his early death at St. Louis, in 1848. Determined to fill in this unfortunate gap, Mr. and Mrs. Clyde Porter set to work some years ago with little success until 1947, when they began to strike "pay dirt." At that time Mrs. Porter, while in England, was fortunate to locate members of the Ruxton family who graciously gave her a wealth of useable material—much of it autobiographical in nature—that gave a full account of the hectic life of



the young adventurer. With this material she returned to America, where she and Mr. Porter and Dr. Leroy R. Hafen, as editor, produced this most readable and illuminating volume.

In so far as possible Ruxton is allowed to tell his intriguing story in full—chapter six through sixteen being lifted bodily from his *Adventures in Mexico and the Rocky Mountains* (London, 1847)—with the exception of the use of selected extracts in chapters six and seven. An excellent story has resulted and a real service has been rendered to the history of the west.

“Aside from his diplomatic and commercial mission, Ruxton’s venture in Mexico and the Rocky Mountains was largely motivated by his keen desire to visit these strange remote lands, hunt in the wilderness of the American West, and subsequently write about his experiences and observations.” Whatever his status, the fact that he was unusually well supplied with money and was able to influence officials and win consideration beyond his personal needs, tends to show that he was engaged in something more than merely a trip of personal adventure.

Mr. and Mrs. Porter and Dr. Hafen have done their work well, and Ruxton stands out vividly as the dynamic, adventurous, resourceful and talented young man that he was. In retrospect, however, his observations of the character of the Mexican men seem to be unduly severe.

This life story of one of the most magnetic and interesting characters ever to flash across the Southwest and Rocky Mountain-West deserves to take, and will take a prominent place in the field of *Americana*. Defects are minor. A few maps would have enhanced greatly the value of the volume, and a more extensive use of annotations would have been a luxury to the serious student of the American West. Dr. Hafen explains in his splendid *foreword*, however, that the book is planned for “a wide popular audience rather than a limited scholarly one.”

Mrs. Porter has written a captivating *introduction*, and the poem, “Ruxton Creek,” by Thomas Hornsby Ferril, will fire the imagination and excite the anticipation of any lover

of the great west, be he ever so satiated. The volume is interestingly illustrated with the only known picture of Ruxton extant, with Ruxton's own sketches and with Alfred Jacob Miller's famous paintings. The index is quite adequate, and naturally it is a most handsome volume, produced as it is by the University of Oklahoma Press.

R. H. OGLE

Phoenix Union High Schools  
and Phoenix College

*Florentine Codex*. General History of the Things of New Mexico by Fray Bernadino de Sahagun. Book 1—The Gods. Translated from the Aztec into English, with Notes and Illustrations. Arthur J. O. Anderson and Charles E. Dibble. In 13 Parts. Part II. School of American Research and the University of Utah. Monographs of the School of American Research, No. 14, Part II. Santa Fe, 1950.

The student of ancient Mexico in contrast to the student, say, of the Near East, has certain disadvantages, but one most important advantage; he has not the wealth of archival material in historical sculpture and writing left by the ancient civilizations of the latter region, but, to offset that lack, he has eyewitness accounts of how civilization functioned in Mexico when the white man arrived. Of those eyewitnesses Fray Bernadino de Sahagun, who as a young man reached Mexico in 1529 and remained there until his death in 1590, was far and away the best.

Father Sahagun was a born student of man, and Evelyn's description of Samuel Pepys—"A very worthy, industrious, and curious person"—might well be applied to him. His approach was in many respects that of the twentieth century: he assembled Indians and discussed ethnology with them, getting the material straight from their lips. Indeed, much of Sahagun's *Historia* was actually written in Nahua by his informants, although revised and annotated by him. A paraphrase in Spanish of the Nahua original was made by Sahagun, and it is that version which has been published on more than one occasion (best edition: Robredo, Mexico City,

1938). The Spanish paraphrase, however, lacks much of the color of the original; the rich metaphors and poetry of the Nahua setting and not a little factual material are absent. One might say that the Spanish version bears the same relationship to the Nahua as a children's edition of *Gulliver's Travels* does to Swift's original satire.

Parts of the Nahua original have been translated, but it is not until now that a full translation into a modern language has been undertaken. This is an extremely arduous labor precisely because of the rich veins of poetry and metaphor in the original and the abundance of esoteric material on Mexican religion. All historians and ethnologists are therefore deeply indebted to Messrs. Anderson and Dibble for making available these most important source materials. The reviewer, having no knowledge of the Nahua language, cannot pass judgment on the merits of the translation, but he is confident that the work is in excellent hands, for the authors are outstanding scholars of Nahua. The twelve books of the *Historia* will be published one by one and not necessarily in their original order; a final part will contain table of contents, index, introduction, etc.

This is a "must" for every library and individual interested in Latin America.

J. ERIC S. THOMPSON

Carnegie Institution of Washington,

*Jesuit Beginnings in New Mexico 1867-1882.* M. Lilliana Owens. El Paso, Texas: Revista Catolica Press, 1950. Pp. 176.

This study is divided into three parts with a foreword by Edwin V. Byrne, Archbishop of Santa Fe, and an introduction by Carlos Castañeda, The University of Texas. Part One is Sister Lilliana's narrative of Jesuit work in New Mexico and Colorado, beginning with Bishop Lamy's trip to Europe and the assignment there of Jesuit workers for New Mexico.

The Second Part is the *Account of the Journey of Reverend Donato M. Gasparri, S.J., to New Mexico in 1867.*

This "account was dictated by Father Donato M. Gasparri, S.J., in Spanish to Father Vito M. Tromby, S.J. It was translated into Italian for the records of the Napolitan Province and appeared in the *Lettere Edificanti*" \* \* \* "*della Provincia Napoletana della Compagnia di Gesu*, Serie V, 1886-1887, Naples, 1886, pp. 170-176." The publication here presented was translated from the Italian by Sister Lilliana and associates. An earlier translation by J. Manuel Espinosa has been published in *Mid-America*, vol. 20, new series vol. 9 (January, 1938).

The Third Part is the *Diary of the Mission of New Mexico*, May 27, 1867-October 18, 1874. It narrates the story of the trip from New York to Santa Fe, between May and August of 1867, and then becomes a weekly summary of church work in the Albuquerque area. The original was written in Spanish, but is presented in translation. From internal evidence, Sister Lilliana credits the authorship to Reverend Livio Vigilante, S.J., the first superior of the Jesuit New Mexico mission band.

The publication is completed with a bibliography, index, and pictures of leading persons in the story and of places.

The *Account*, the *Diary*, and Sister Lilliana's narrative relate a familiar story of perils experienced by travelers along the Santa Fe trail. These pioneer Jesuits faced an Indian attack, inclement weather, and the harshness of travel in those days with unflinching courage. Their journey was saddened by the untimely death of Sister Alphonsa Thompson, not yet twenty years of age. The *Account* also contains the European side of the story.

The *Diary* is the more important of the two documents. Although on the surface it seems to be a weekly summary of routine work, for one acquainted with the Albuquerque environment much can be read between the lines. Behind the terse statements of the author, the reader catches glimpses of life in the Middle Rio Grande valley three-quarters of a century ago which is in sharp contrast with the present-day condition.

In passing, it might be noted that there are some imperfections in the editorial work. An occasional item in the foot-

note does not appear in the bibliography. The footnote style is not uniform: a work is sometimes cited by author and later by title. Nor is the title always exactly the same in footnote and bibliography. The title of Twitchell's standard history of New Mexico is given incorrectly, a not uncommon error.

Professor Castañeda's statement (page 13) on the number of settlers killed in New Mexico at the time of the Pueblo rebellion of 1680 is too high.

The excessively long two-and-a-half page paragraph beginning on page 24 should have been avoided from the standpoint of style. Otherwise, Sister Lilliana writes with a clear pen and with a feeling for the subject that adds much to what could have been a rather dry enumeration of factual information. A sympathetic reader can glean much more from the story than appears on the surface.

The title page is headed: JESUIT STUDIES—SOUTHWEST, Number One. It is to be hoped that Number Two will not lag far behind; this one is an excellent contribution to the historical literature of the region. F. D. R.



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# NEW MEXICO HISTORICAL REVIEW

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## SHORT-LINE STAGING IN NEW MEXICO

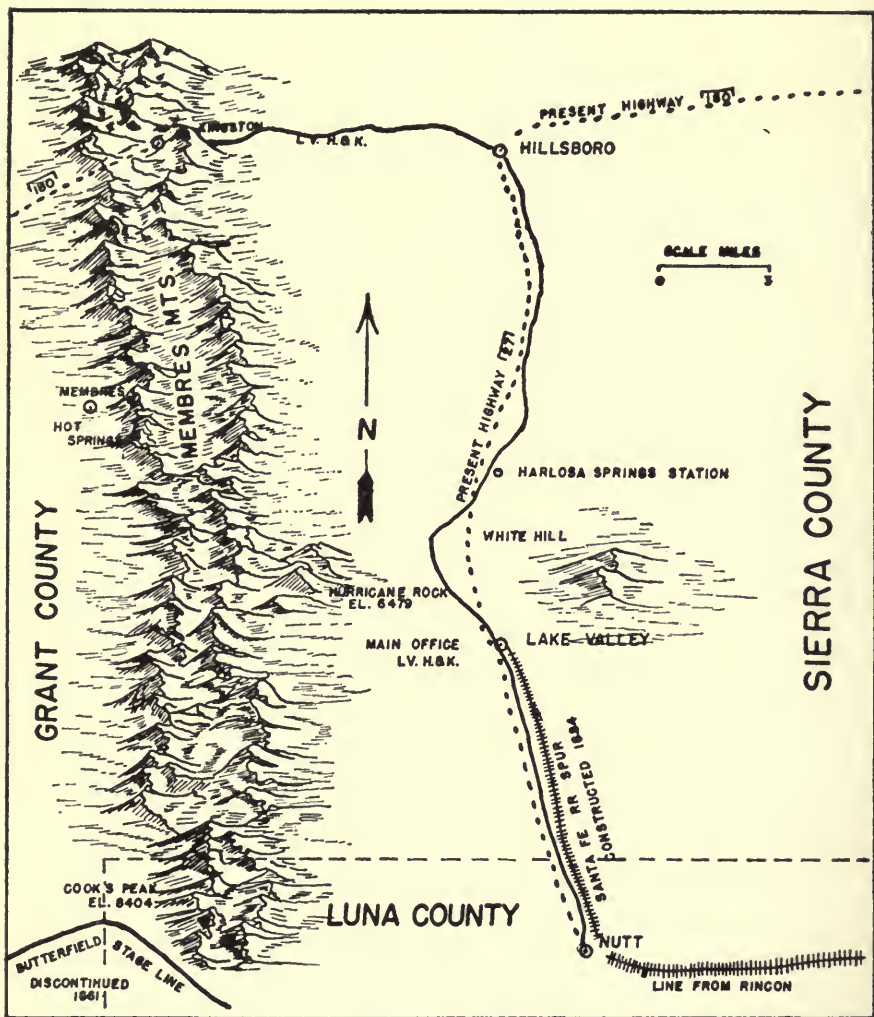
By WILLIAM SWILLING WALLACE \*

FEW agents of civilization in the history of the West are mentioned more, taken for granted, then later ignored than the stage lines. The literature of western staging is almost entirely limited to the large companies that operated over great distances. Little has been recorded of the small "feeder" lines that continued to operate even into the second decade of the twentieth century and, in their own way, performed a service no less important than the large lines.<sup>1</sup> This paper deals with only one such small line: the Lake Valley, Hillsboro, and Kingston, New Mexico, Stage Line. Fortunately, it has been possible to supplement the limited available published sources with the reminiscences of Mr. William J. Reay, who was the chief driver for that company from 1892 till 1904.<sup>2</sup>

\* Mr. Wallace is a High School teacher, Douglas Arizona.

1. The bibliographies appended to Le Roy Hafen's, *The Overland Mail, 1849-1869* (Cleveland, 1926); and the exhaustive study of Roscoe Platt and Margaret B. Conkling, *The Butterfield Overland Mail, 1857-1869* (Glendale, 1947), 3 vols., are rich sources on the literature of the stage line. Of little use is Agnes W. Springer's, *The Cheyenne and Black Hills Stage and Express Routes* (Glendale, 1949). Disappointingly scant in reference to western staging but thorough on transportation in the East is Seymour Dunbar, *A History of Travel in America* (Indianapolis, 1915), 4 vols. The bulk of western literature gives only a fleeting mention of the stage line, leaving the reader to his imagination concerning the actual mechanics of operation, organization, etc. John P. Clum, for instance, in "Santa Fe in the 70's," *New Mexico Historical Review*, II (October, 1927), 381, casually mentions taking a six-horse Concord stagecoach out of Trinidad, Colorado, to Santa Fe in the late fall; Theron M. Trumbo, "The Little Bonanza," *New Mexico Magazine*, 28 (April, 1950), 28, briefly mentions a "hack" line operating between Las Cruces and the Organ mountains during the mining era; *ad infinitum*.

2. William John Reay was born March 31, 1876, in Hansingham, Cumberland, England, and immigrated to the United States in 1883 with his mother and two sisters.



MAP OF THE  
 1878 Lake Valley, Hillsboro and Kingston Stage Line 1904

TO ACCOMPANY: "SHORT LINE STAGING IN NEW MEXICO"

WS WALLACE, AUTHOR

DRAWN BY RL DAWSON 1950

The Santa Fe railway station at Lake Valley was the railhead servicing an area that extended to the north and northwest for more than fifty miles. It was the terminal of a thirteen and one-third miles spur track from the Rincon branch of the Santa Fe joining the branch line at Nutt, New Mexico, and was constructed in 1884.<sup>3</sup> On March 10, 1881, the two divisions of the Southern Pacific railroad were joined at Deming, New Mexico, which formed the first trans-continental railroad through New Mexico and Arizona.<sup>4</sup> Within this area the mountain ranges of Cook, Pinos Altos, Mimbres, Mogollon, Burro, and Black held forth their promise of riches in gold and silver. For a while the major transportation service of this vast area had been the Butterfield Overland Mail Company, but it brought its services to an end in 1861 when the Civil War created a tenuous situation with which it did not care to contend.<sup>5</sup> Following the Civil

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to join the rest of the family, four brothers and his father, at Georgetown, Colorado. After staying in Georgetown for two years the family then moved to Kingston, New Mexico Territory, a major boomtown of the period. Between 1885 and 1904 he made his home first in Kingston and then in Hillsboro where during this twenty-one year period he spent twelve years as driver for the Line. In 1904 he moved to Douglas, Arizona, where he first went into the livery business and then branched out into other activities. The information on the Line was obtained from interviews with Mr. Reay by the writer during the winter of 1949-50. The writer is indebted to him for his co-operation and the plates accompanying this paper. Unless credited to other sources, factual information in the following pages is taken from typescript copies of interviews with Mr. Reay.

3. On September 25, 1882, the Lake Valley Railroad Company was granted papers of incorporation at Santa Fe which called for an initial capitalization of \$600,000; but plans for the company never materialized, probably because the superior capital and facilities of the Santa Fe railroad which were by that time firmly entrenched in the region. See George B. Anderson, ed., *History of New Mexico: Its Resources and People, Illustrated* (New York, 1907), I, 899-900.

4. *Ibid.* The first concrete step taken toward establishment of railway service in this area was in 1872. On May 13 of that year Gen. George M. Dodge, engineer of the Texas and Pacific railroad, wrote George Wolcott, division engineer for the same company: "... Organize parties for the purpose of developing the country from the Rio Grande to the Gila river near the Pimas' village just below the mouth of the San Pedro and north of the southern boundary of the United States, and south of the Gila river. . . . Leave the Rio Grande north of El Paso near Messilla, going directly to the valley of the Rio Mimbres—then passing the Peloncillo [*sic*]. . . ." The document was dated at Council Bluffs, Iowa. (Quoted from photostatic copy in the possession of Mrs. Margaret Calkins, Tucson, Arizona.)

5. The last Overland scheduled trip through southern New Mexico left Tucson on March 6, 1861, and arrived at El Paso on March 9th. See Conkling, *op. cit.*, II, 325. The first stage line into New Mexico probably started operations in 1849 on a monthly schedule between Santa Fe and Missouri; eventually being expanded to a daily service. Fares were about \$250 one-way with a baggage limit of forty pounds and \$1 per pound for excess. Thirteen days and six hours was the scheduled time between Santa



War a multitude of short-lived stage lines served many areas of the West until the appearance of the railroad.<sup>6</sup> The railroad, however, did not eliminate the need for the horse and mule drawn conveyance because the population of this area was centered in the rugged mountain recesses where it had gone in search of the elusive gold and silver—here the railroads could not follow.<sup>7</sup> Between the railheads and the population they sought to serve, the stage and freight wagons were needed to move men and supplies to and from the theaters of activity. Such was the function of the Lake Valley, Hillsboro and Kingston Stage Line.<sup>8</sup> From its beginning it was a public carrier limited to the transport of U. S. Mail and passengers.

Ownership of the Line can be pieced together only from the recollections of early residents of Hillsboro because the original mail contracts that would have contained this information have been destroyed.<sup>9</sup>

When the Reay family moved to Kingston in 1885, L. W. Orchard was operating the Line, and the "Mountain Pride," as the stagecoach was called, was in service. This was about seven years after the town of Hillsboro could have needed stage service and one year after the extension of the railroad to nearby Lake Valley. So it may be assumed that the Line probably was founded between 1878 and 1882. Orchard sold the Line to Fred W. Mister in 1902 after being underbid for

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Fe and Kansas City. See Ralph E. Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids, 1917), II, 139-142. Additional data on the earliest stage lines in New Mexico is found in Hafen, *op. cit.*, 70-75, 97, 236.

6. A stage line operated over part of the route of the L. V., H. and K., in the late 1850's and early 60's between Cook's Springs and Fort Thorn on the Rio Grande. See map accompanying Randolph B. Marcy, *The Prairie Traveler* (London, 1863), Richard Burton, ed.

7. Mining in the region centered in the principal mineral belt running along the eastern slope of the continental divide, starting at Cook's Peak, through Lake Valley, Hillsboro, Kingston, Hermosa, Chloride, and Grafton to the south side of the San Augustine Plain. The core of the area, geologically, was four to eight miles wide and twenty miles long and divided into six mining districts: Black Range, Apache, Palomas, Limestone, Cuchillo Negro, and Iron Reef. Cf., Twitchell, *op. cit.*, IV, 267.

8. Hereinafter referred to as the *Line*.

9. Post office Department files concerning star route and other types of contracts covering private carriers of mail from 1870 through 1914 have been destroyed by authority of Congress. C. C. Garner (Chief Inspector, Post Office Department) to W. S. Wallace, May 4, 1950, and Forrest R. Holdcamper (Industrial Records Branch, National Archives) to *idem*, May 9, 1950.



William J. Reay, chief driver, holding reins of "Mountain Pride" near Harlosa Springs station (*circa*, 1900)



William J. Reay driving the "Mountain Pride" out of the corral at Lake Valley at a full gallop (*circa*, 1896)



the mail contract. After the sale of his business Orchard moved to Belen, New Mexico, where he had charge of transportation during the construction of the "Belen Cut-Off." Sometime later he moved to Colorado. Neither Reay nor any of the older residents of Hillsboro know anymore about Orchard.

More is known of Fred W. Mister, who was born in Broadalbin, New York, November 25, 1859, and died in 1939. In 1883 he became a partner of W. C. Leonard in a mercantile business at Kingston where he also had some mining interests. He moved to Hillsboro and opened a meat market in 1900, and in 1902 bought the Line from Orchard. Mister operated the passenger service of the Line until the decline of mining operations and the onset of World War I after which he suspended passenger service and limited his business to hauling mail over the route.<sup>10</sup> By this time, however, the Line as a stagecoach operation had ceased to operate.

Having no competition the Line never advertised and the contemporary newspapers of the area are devoid of reference to it. Accepted as a permanent fixture to the area people were little concerned about its operation. Ralph E. Twitchell passed over the Line with only a brief comment: "Hillsboro is reached by a stage line from Lake Valley, the terminus of a branch line of the A. T. & S. F. Railway."<sup>11</sup>

With headquarters and a principal terminus located at Lake Valley the route extended northward over the rolling sand swept desert valley. At a point six miles north of Lake Valley a rise known formerly as "White Hill" was crossed and then the route descended into the Harlosa Springs Station where the Line maintained a corral for team changes on the north-bound trips. From this point the route continued northward for twelve miles to Hillsboro, the county seat of Sierra county. Traversing a winding, climbing, road in a westerly direction out of Hillsboro to Kingston into the Mimbres Mountains the stage reached the outgoing terminus

10. Twitchell, *op. cit.*, IV, 276, gives a brief biographical sketch of Mister. Information concerning his later years was obtained from George Meyers, Executor of the Mister Estate.

11. *Ibid.*, 263, note 600.

of the route. At Lake Valley the passenger transfer point was the railway depot; in Hillsboro, the Hotel Union; and the Hotel Mountain Pride in Kingston. The name of the Kingston hostelry was adopted by the Line for its nine passenger Concord stagecoach. Lettered across the top panel on either side of the coach in gold filligree was "Mountain Pride."<sup>12</sup>

The coach was a "Southern" style thoroughbrace suspended vehicle built in the Concord fashion but probably manufactured by the Eaton, Gilbert and Company of Troy, New York.<sup>13</sup> It was of oak construction and painted dark red on the body, yellow on the carriage and black-striped at the joints, corners, etc. Its interior was upholstered in russet leather and at the top of each window heavy canvas duck side curtains were attached. The stitched leather thoroughbraces were three and a half inches wide and extended from standards on either end of the front axle to standards on either end of the rear axle. The body of the coach, attached to the thoroughbraces, had a backward and forward movement described by Mark Twain as "swinging and swaying" and to the coach as a whole as a "cradle on wheels."<sup>14</sup> Fastened to the forward pillars on each side of the coach were box-like lanterns, occasionally used as running lights in the dark and poor weather. Two, three passenger seats were inside and another was located on top just behind the driver's box. At the rear of the body was a triangular "boot" for luggage and another at the front under the driver's box. The Line also used a six passenger jerkey for charter service, a mud-wagon, and it had a miscellaneous assortment of

12. The coach may be the one formerly used on an earlier line that operated between Cook's Springs and Fort Thorn (*Supra*, note 6). Wayne L. Mauzey, "Western Stage Coach Days," *El Palacio*, XXXIX (August 14, 21, 28, 1935), 34, speaks of a coach given to the Historical Society of New Mexico by Mrs. Arthur Seligman in 1935, as having "operated last between Lake Valley and Hillsboro, New Mexico." This is possibly the same coach referred to above. The coach's name is discernible on all of the accompanying plates.

13. The "Mountain Pride" had a seat located on top behind the driver's box, a construction detail incorporated only in the Troy coaches. *Cf.*, Conkling, *op. cit.*, I, 131-133.

14. Mark Twain (Samuel Clemens), *Roughing It* (New York, 1871), I, 7.

Sheba Hurst, the "wit of Kingston," a humorous character in *Roughing It*, is buried in an unmarked grave at Kingston.



wagons for hauling feed and equipment from its principal supply depot at Lake Valley to the stations along the route.

The Line was no exception among stage companies in the pride and care with which it cared for its horses.<sup>15</sup> Eighteen to twenty spirited animals were kept in the Line's corral at Lake Valley and whenever reports were received of a particularly outstanding "outlaw" or wild horse within fifty miles of the area immediately it was captured, if possible, and added to the Line's herd. No one team (of four) was worked more often than every third day. Light, nervous horses were prized as *leaders* (the forward pair in a team arrangement of four or more) and heavy, powerful horses were placed at the *wheeler* position (the pair hitched nearest to the body of a horse drawn conveyance). This matching of mood and power seems to have reached perfection in the eyes of the company with the team used at one time on the coach in the Zavala Whitham painting.<sup>16</sup> In this painting the left leader is "Prince," the right leader "Andy," left wheeler "Dude," and the right wheeler "Reilly." These four horses were considered the best combination the Line ever had, both from the standpoint of efficiency and as specimens of fine horseflesh. From the day Mr. Reay first entered the employ of the Line until his last run all teams were judged on the basis of comparison to Prince, Dude, Andy and Reilly.

The "Mountain Pride" maintained a schedule that was timed to the arrival of the noonday Santa Fe train at Lake Valley. The schedule was as follows:

<i>Read Down</i>	<i>Station</i>	<i>Miles</i>	<i>Read Up</i>
12:00 Noon	Lv. Lake Valley	0	Ar. 10:00 AM
3:00 PM	Ar. Hillsboro	18	Lv. 7:00 AM
3:10 PM	Lv. "		Ar. 8:30 PM
4:40 PM	Ar. Kingston	9	Lv. 6:30 PM

15. See J. C. Birge, *Awakening of the Desert* (Boston, 1912), 410.

16. This oil (26" x 37"), now hanging in Mr. Reay's office at Douglas, was painted sometime in the mid-90's by Zavala Whitham, former school teacher and painter in various parts of Colorado and New Mexico. It shows the "Mountain Pride" rounding a corner with L. O. Orchard in the box. On Orchard's left is a "Dr. Ried" of Detroit (a frequent visitor in Hillsboro at that time). On the top seat behind Orchard sits a "Mr. Van Heusen." The man next to Van Heusen is unknown. The picture was painted at a spot where the route cut across a pasture of the Sierra Land and Cattle Company, about six miles south of Hillsboro. Orchard gave the painting to Mr. Reay in 1902 when he sold the Line.

As is evident, the Line scheduled its movements at ten miles per hour, a fast schedule when compared to the Overland Mail Company's schedule of four and four-tenths miles per hour over comparable terrain in the Fourth Division of its route between Tucson and Franklin (El Paso).<sup>17</sup> On the return trip the stage remained in Hillsboro overnight. There were always a few passengers on each run but when the occasion demanded the coach could be loaded with many more than the normal capacity of nine. The record number for it, and probably all other Concords that ever rolled, was twenty-three. This was on the evening of the last day of the "Lee and Gilliland" trial at Hillsboro, when Mr. Reay drove twenty-three participants in the trial back to Lake Valley;<sup>18</sup> one of them the famed Lincoln county sheriff, Pat Garrett.

No financial records are to be found of the Line's business but expenses must have been great. During the peak of operations seven to eight men were regularly employed in addition to part-time labor gangs used to augment the county road crews in filling the ruts and removing rocks from the right-of-way. A few of these employees' names are remembered: Frank Richardson, a stock tender at Lake Valley; Jim Rafter, bookkeeper at the Lake Valley office; and a stock tender at Hillsboro named Neal Sullivan. Stock tenders were also kept at Kingston and Harlosa Springs but their names have been forgotten. In addition to labor costs there was a large monthly bill for feed which was shipped into Lake Valley by rail in boxcar loads.<sup>19</sup> Harness was another item that

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17. Postmaster-general's *Report*, 1858, *Senate Executive Documents*, 35 Cong., 2 sess., 739-741. The Barlow and Sanderson Stage Line operating in western Colorado in the 1880's maintained a ten and one-half miles per hour schedule on its Marshall Pass Division, a distance of seventy-five miles. (David Lavender, *The Big Divide*, New York, 1949, p. 145.)

18. The trial of Oliver Lee and James F. Gilliland for the murder of a prominent Las Cruces attorney, Col. Albert J. Fountain, and his son, in March, 1896, was a sensation in its day. The bodies of Fountain and his son were never found and Lee and Gilliland were acquitted. Pat Garrett was the arresting officer in the case. A good summary of the affair is in Anderson, *op. cit.*, I, 350-351.

19. It is hard to comprehend the amount of feed required for draft animals in the past century. F. A. Root and Connelley, *Overland Stage to California* (Topeka, 1901), 487, refers to a general manager of the Overland Mail Company at St. Louis who, in one day, chartered seven river steamboats to load corn for the herds of the Overland. The L. V., H. and K., used native "gramma" hay and oats for its basic feed rations.

required heavy initial outlays of capital. One interesting cost was for men's old shoes. These were purchased by the sack and the soles used to reline the brake-blocks of the stage-coach. This relining operation was performed daily in Lake Valley. It was extremely necessary because of the constant braking of the wheels on the return trip from Kingston. To meet current expenses of the Line during the late 80's and 90's and make a modest profit for the owner there had to be at least a gross income of about fifteen thousand dollars per year.

Passengers were permitted fifty pounds of baggage free but all exceeding that was charged at the rate, generally, of ten cents per pound. The schedule of fares was:

	<i>One-way</i>	<i>Round-trip</i>
Lake Valley to Hillsboro	\$2.00	\$3.50
Hillsboro to Kingston	1.50	2.50
Lake Valley to Kingston	3.25	5.50

Passenger tariffs were kept at about nine cents per mile between Lake Valley and Hillsboro while it was increased to sixteen and two-thirds for the more difficult run from Hillsboro to Kingston.

There is little doubt that the communities served by the Line were economically able to afford a service of such cost.<sup>20</sup> In the time of Victorio and the Apache sub-chiefs Loco and Nana, the area had been subject to the control of the Apache. However, by the early 80's rich strikes had been made by prospectors and the hordes poured in. Ore valued as high as a thousand dollars per ton was exposed in famous mines, one, the "Bridal Chamber" near Lake Valley. The ranchers had also moved into the valley and combined with the miners gave Lake Valley a population of about a thousand. Kingston dated its beginning back to August, 1882, when Jack Shedden, a miner from Colorado, discovered the "Solitaire" mine there. In less than a year Kingston's population reached eighteen hundred and by the late 80's had approached ap-

20. A short summary of these communities' histories and of Sierra county are covered in Twitchell, *op. cit.*, IV, 268, 269, note 603, note 604, *passim*; Anderson, *op. cit.*, II, 757-767.

proximately twenty-five hundred. Hillsboro, the first county seat of Sierra county, was the center of extensive gold operations instead of silver, as was the case of Lake Valley and Kingston. Founded in 1877, Hillsboro was an offshoot of Georgetown, in Grant county. Georgetown prospectors made the first gold strikes in the Hillsboro area in May, 1877. From that time on the town continued to grow and prosper. A brick courthouse (now in ruins) was constructed, schools were maintained and numerous hotels, restaurants, and stores opened. The population climbed to an estimated three thousand at its peak period. By the beginning of the twentieth century, however, Hillsboro had begun to decline, to such an extent that the county seat was moved to the rapidly expanding cattle and tourist center, Hot Springs, in the northeastern part of the county. The Apache had ceased to make trouble in the vicinity of the Line's operations previous to 1890. The drivers of the line had stopped carrying arms by the time Mr. Reay became a driver in 1892.

The harness arrangement used in western staging was not the same as in ordinary draft work. In place of numerous attachments ordinarily used the stage harness was relatively simple. The belly band, back band, hames, and reins comprised the harness.<sup>21</sup> Such commonplace hardware as hooks and snaps were unknown on the stage harness. The only hook on a Concord stagecoach was the "goose-neck" on the end of the tongue. All connections were made with rings through which "T" links were inserted, much in the manner of ordinary cuff-links. In preparation for a departure the bridles and harness were placed on the horses and they were led to their positions at the front of the stagecoach. All tugs and connections were completed by the stock tender with the exception of the tug<sup>22</sup> joining the harness of the left wheeler to the carriage. The driver climbed to the box with the reins in hand, and only after making certain all

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21. Harness detail is plainly visible in all of the plates. The small rings on the neck and head of the leaders in Plate II are decorations used on special occasions. These rings were made of gaily colored celluloid and attached to most of the harness.

22. The *tug* is the trace of a harness which may be made of rope, leather, or chain and used in pulling anything along; in the case of staging—the coach itself.



was in readiness, would he signal to the stock tender to hook the left wheeler tug. This was a necessary precaution because, as Mr. Reay put it, "Once the left tug is secured, get out of the way! Without a word from the driver the team was off in a full gallop." As the bell was to the fire horse so the last hitching operation seems to have been to the stagecoach team.

Getting the stagecoach underway required a driver with "good hands" and a good team. If the leaders were slow in starting the wheelers would force the tongue forward and thus risk cutting the leaders on their harness while a team of wheelers slow in starting after fast leaders would have the forepart of the carriage and body rammed into their bodies causing serious injury. Therefore, the driver had to have the ability to start the leaders just a fraction of a second ahead of the wheelers. This was no easy accomplishment and it called for much practice and mastery of the art of driving.<sup>23</sup> The reins were held in the left hand with the rein to the left leader between the thumb and index finger, the left wheeler rein between the index and middle finger, the right leader between the middle and fore finger, the right wheeler rein between the fore and little finger. In this manner the driver had instant control of any one or combination of horses while the right hand was free to control the slack of the reins or use the long whip carried in a socket at the driver's right.<sup>24</sup> Knowing how to turn the team was as important as getting it underway. If a leader turned faster than the wheeler behind it, the wheeler would trip and become seriously injured as the coach tongue cut across its front legs; this was a common accident when inexperienced drivers were in the box.

Besides "good hands" and a well-matched team the method of loading the stagecoach was also of great importance. The seat favored by passengers was the inside rear seat and it was for this seat the passengers always vied. How-

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23. For a discussion of the art of driving see: Maj. Gen. Geoffrey White "Driving," *Encyclopaedia Britannica* (Chicago, 1936), VII, 665-667.

24. See pictures for a stagecoach just getting underway and reins detail.

ORIGINAL DEPT.



ever, in less than full loads concentrated weight at the rear of the stagecoach caused the front of the body to spring up, thus endangering the stability of the coach and making it more difficult for the horses to pull. Likewise, concentrated weight at the front had a similar effect on the rear of the coach. The driver would usually balance the luggage between the fore and aft "boots," however, before making the rear seat passengers change to the front, if it were at all possible. Upsetting was always a potential danger and was recognized even by the coach manufacturers. The coach makers (of the Concord type) assembled the front wheels and axle in such a manner that only a loose fitting kingpin held the body to the front wheels and axle, in this way an overturned coach was instantly disengaged from the team because as soon as the upset occurred the kingpin fell out of its connection and freed the front wheels and the team thus preventing a frightened team from pulling the upset body along the road.

Today, New Mexico State Routes 27 and 180 follow the route of the L. V., H. and K., between Lake Valley and Kingston. In Sierra county the decline of the mines and new emphasis on ranching have brought about the decay and abandonment of most of the three communities formerly served by the Line. Though only a small enterprise compared to the Holliday and Overland companies it made its contribution to the development of western America.

## THE NAVAHO DURING THE SPANISH REGIME IN NEW MEXICO

*By* DONALD E. WORCESTER \*

THE history of the Navaho is in many ways unique among the Indians of North America. Unlike the majority of the other tribes of the present United States, the Navaho were able to adapt European material culture traits which were to aid them remarkably after their confinement to a reservation. They differed from others also in that their reservation coincided with their accustomed homeland, a factor of considerable importance in their growth from seven or eight thousand in the 1860's to upwards of 50,000 at the present time. No other tribe of American Indians has had similar success since commencing reservation life. The reasons for the immense growth of the Navaho are to be found in their relations with Spanish and Pueblo settlements in the 17th and 18th centuries, and in their good fortune in being allowed to remain upon their ancient tribal lands. Other tribes had to make involuntary and sometimes difficult adjustments to new environments and unaccustomed ways of life, as was the case of the Plains Indians after the buffalo had vanished. While other tribes were waging a losing struggle to surmount these obstacles, the Navaho immediately began an unprecedented growth.

The tremendous increase of the Navaho in recent times has seemed the more unusual because of a widespread opinion that the tribe was of late origin and exceedingly small at the time of the conquest of New Mexico. Spanish documents of the 17th century make it patent that this belief is erroneous. Far from being a small, weak tribe largely unknown to the Spaniards, the Navaho were the most troublesome of all the Indians encountered by the newcomers in the Southwest until the advent of the Comanche soon after 1700.

One reason for this confusion regarding the Navaho in the early years of New Mexico's history is to be found in

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Spanish terminology used for designating the wild and war-like tribes. At the time of the conquest the word "apache," from the Zuñi *apachú*—enemy—their appellation for the Navaho, was used by the Spaniards to denote any hostile Indians. Oñate even employed it in reference to the people of the pueblo of Ácoma. Soon it became known to the Spaniards that most of the enemy tribes surrounding New Mexico spoke a common language, and the name thereafter was applied only to the Southern Athabascans. Gradually other designations were given to the various Athabascan tribes of different regions, and the Navaho became known as the *Apaches del Navajó*. Throughout the 17th century and frequently in later years, however, many Spanish documents referred to them simply as Apache, thus giving an impression at first glance that the Navaho did not figure to any significant degree in the events of that remote era. That this impression is entirely false will be pointed out in the following pages.

Recent archaeological investigations have brought to light much valuable information regarding the Navaho ancestral groups, and the available evidence points to the arrival of these people in the Southwest around the 10th or 11th century by a route from the north by way of the Great Basin rather than the Plains. It is to be hoped that future investigations will define more exactly the wanderings and culture of the founders of the tribe.<sup>1</sup>

1. There is an increasing literature on the early Navaho. A few will be cited as examples: Charles Avery Amsden, "Navaho origins," *NEW MEXICO HISTORICAL REVIEW*, VII; Harold S. Colton, "Did the so-called Cliff Dwellers of central Arizona also build hogans," *American Anthropologist*, XXII; Malcolm F. Farmer, "Navaho archaeology of Upper Blanco and Largo Canyons, northern New Mexico," *American Antiquity*, VIII; Edward Twitchell Hall, Jr., "Recent clues to Athapaskan prehistory in the Southwest," *American Anthropologist*, XLIV; J. P. Harrington, "Southern peripheral Athapaskan origins, divisions, and migrations," *Smithsonian Miscellaneous Collections*, C; Edgar Lee Hewett, "Origins of the name Navaho," *American Anthropologist*, VIII; Frank C. Hibben, "Excavations of the Riana Ruin and Chama valley survey," *Bulletin of the University of New Mexico Anthropological Series*, II; Hibben, "The Gallina phase," *American Antiquity*, IV; Ales Hrdlicka, "Physical and physiological observations on the Navaho," *American Anthropologist*, II; Wesley R. Hurt, Jr., "Eighteenth century Navaho hogans from Canyon de Chelly National Monument," *American Antiquity*, VIII; Betty H. and Harold A. Huscher, "Athapaskan migrations via the Intermontane region," *American Antiquity*, VIII; Dorothy Louise Keur, "Big Bead Mesa, an archaeological study of Navaho acculturation, 1745-1812," *Society for American Archaeology, Memoirs*, No. 1, and "New light on Navaho origins," *New York Academy of Sciences, Transactions*, Sec. 2, II; Roy L. Malcolm, "Archaeological

The Navaho evidently have mixed very considerably with their neighbors, and in physique are more closely related to the ancient and modern Pueblo peoples than to the Apache. In the historical period they have increased their numbers and modified their material culture by wholesale adoptions into the tribe of refugees from various pueblos. Their attitude toward these peoples as well as toward captives taken in warfare has had a significant part in their development. It helps to account not only for their growth in number but for their evolving a culture which was considerably advanced in comparison to the Apache and Ute.

Despite the absence of the word "Navaho" in Spanish documents of the 16th century, contact with the tribe probably was made during that time. Coronado, in relating his war with the Zuñi, mentioned that the pueblos and the province were up in arms and that he saw many smoke signals rising at different places.<sup>2</sup> The experiences of later Spanish forces in the region suggest that the Navaho were involved, for they frequently aided the Pueblo tribes against the Spaniards. In 1582 it is also very likely that Antonio de Espejo encountered Navaho in the Querechos who came to the assistance of Ácoma. The southern periphery of the Navaho country was in this vicinity and it seems probable, in light of Oñate's experiences two decades later, that the Navaho were the ones who aided the Ácomans.

At the time of the conquest of New Mexico, around 1600, it appears that the Navaho were the first of the wild tribes to cause trouble. The first site for a settlement was San Gabriel del Yunque, which was located between the Chama and the Rio Grande, at the entrance to the Navaho country. In-

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remains, supposedly Navaho, from Chaco Canyon, New Mexico," *American Antiquity*, V; Paul S. Martin, "Origin of the Navaho," *Field Museum News*, VII, No. 9; H. P. Mera, "Ceramic clues to the prehistory of north central New Mexico," *Laboratory of Anthropological Technology Series*, 1935, and "Some aspects of the Largo cultural phase, northern New Mexico," *American Antiquity*, III; Edward Sapir, "Navaho linguistic evidence," *American Anthropologist*, XXXVIII; and Julian H. Steward, "Native cultures of the Intermontane (Great Britain) area," *Smithsonian Miscellaneous Collections*, C.

2. George P. Hammond and Agapito Rey, eds. *Narratives of the Coronado expedition, 1540-1542*. Coronado Cuarto-Centennial Publications, 1540-1940 (Albuquerque, 1940).



dians called "Apache" immediately made life hazardous for the Spaniards and their Pueblo converts by raids and thefts of livestock. In 1608 Father Lázaro Ximenez wrote to the viceroy that the settlement was constantly harassed by the Apache, and that troops were lacking for defense.<sup>3</sup> The viceroy ordered the governor to provide the necessary men and arms.<sup>4</sup> Spanish colonists, hard pressed by the chronic attacks, petitioned the viceroy to permit them to return to New Spain. In 1609, however, they were ordered to remain,<sup>5</sup> for New Mexico was the key outpost in the northern defenses. The destructiveness of the Indian raids soon forced them to abandon the settlement and move to a more secure location, where Santa Fe was founded.

Although the Indians who committed the depredations mentioned above were called Apache, the fact that they were Navaho has been established by an account of this period written in 1679, before the archives had been destroyed during the uprising of the Pueblo Indians in the following year. In this document it was clearly stated that the abandonment of San Gabriel and the founding of Santa Fe were owing to the raids of the Navaho.<sup>6</sup> This statement is amply supported by many others throughout the 17th century, as will be pointed out.

Navaho incursions increased during the remainder of the century. By 1622 the Jémez had been driven from their pueb-

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3. Mandamiento para que el governador de la nueva mexico conforme al número de gente y armas que obiere en aquel presidio procure que an de una squadra que acuda al remedio de los daños que hacen los yndios apaches de guerra en los amigos y cavallada de Spañoles, 6 março, 1608. MS. A.G.I., 58-3-16. Bancroft Library transcript.

4. Hordenase al governador de la nueva-mexico que conforme al número de gente y armas que Ubiere en aquel Presidio Procure que hacen los yndios apaches de guerra en los amigos y Cavallada de Spañoles . . . March 6, 1608. *Ibid.*

5. Auto of Velasco II and the Audiencia of Mexico. September 28, 1609. MS. *Ibid.*

6. Noticias de lo acaecido en la Custodia de la Conversion de San Pablo de la Provincia de el Santo Evangelio de N. S. P. San Francisco en el Nuevo Megico sacadas de los Papeles que se guardan en el Archivo de Gobierno de la Villa de Santa Fé, y empiezan desde el año de 1679. MS. Biblioteca Nacional, Mexico. Bancroft Library transcript. "Entre los dos Ríos Norte y Chama, una milla azia el oeste del Pueblo de San Juan de los Caballeros, y poco mas de nueve leguas al Norte de la Villa de Santa Fé puso Real Oñate, fundo la primer Convento uno y otro con el nombre de San Gabriel del Yunque, esta fue algunos años la Capital de la Provincia después acaso por la estrechez del sitio y por ser entonces frontera abierta de los Apaches Navajoes se despobló, y traslado a donde hoy permanece con el nombre de Santa Fé de Granada."



los and scattered throughout the province. In the same period Spanish *encomenderos* and missions were given permission to employ Pueblo converts as herdsmen and teamsters, contrary to the usual prohibition against Indians riding horses. Not long after this there were many complaints that apostates from the pueblos were fleeing to join the heathen Apache. Undoubtedly it was through these refugees that the Navaho and other tribes learned to use horses otherwise than for food.

One of the most valuable accounts of early New Mexico was that of Father Alonso de Benavides, who resided in the province from 1622 to 1629. His report included descriptions of the various Apache tribes and of the Navaho, and although it is obvious that his estimates of their numbers were enormously exaggerated, his appraisals of the tribes are extremely useful. He pointed out that the Navaho, unlike the Apache, cultivated crops, and the name "Navajó" signified great planted fields. His statement "This province is the most warlike of all the Apache nation and where the Spaniards have well shown their valor"<sup>7</sup> is instructive. He stated further: "and this is the province which has given the most pain and care to New Mexico, as well from their being so warlike and valiant, as from there being in it more than 200,000 souls, by the times that the Spaniards have seen them going to fight."<sup>8</sup>

Several attempts were made by the missionaries to convert the Navaho to Christianity in the time of Benavides, but the results of their efforts were not enduring. Benavides succeeded in bringing about a temporary peace between the Navaho and the pueblo of Santa Clara by sending a delegation of Pueblo Indians into the Navaho country. This peace did not survive for long probably because the Spanish officials of New Mexico forced Pueblo Indians to assist them in slave

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7. *The memorial of Fray Alonso de Benavides, 1630*. Translated by Mrs. E. E. Ayer (Chicago, 1916), 44. See also *Alonso de Benavides' memorial on New Mexico in 1626*. In *Bulletin of New York Public Library*, III, and F. W. Hodge, G. P. Hammond, and Agapito Rey, eds. *Fray Alonso de Benavides' revised memorial of 1634*. *Coronado Cuarto-Centennial Publications, 1540-1940* (Albuquerque, 1945).

8. *Ibid.*, 45.

raids against the Navaho. Slave raiding, indeed, was one of the principal reasons for continued Navaho hostility throughout the 17th century. The participation of Pueblo Indians in these campaigns greatly increased the animosity of the Navaho.

From about 1640 conspiracies between the Navaho and Pueblo tribes for the overthrow of the Spaniards became frequent, and on some occasions Pueblo herders surrendered entire horseherds to their allies.<sup>9</sup> Raids and reprisals increased in intensity. Hundreds of Navaho were sold into slavery in the mining regions of Chihuahua, and thousands of sheep, cattle, and horses were taken from Spanish herds. Navaho hostility made the journey to the distant Zuñi and Hopi pueblos a perilous one, and was an important factor in the failure of the Spaniards to bring those tribes under complete domination.

In the 1660's Navaho depredations still were primarily responsible for the difficulties of the Spaniards in New Mexico. Peace was made between the Spaniards and some of the Apache, and an agreement was reached as to which of the pueblos could be visited for purposes of trade. With regard to the Navaho and certain Apache, however, the pact did not apply, saying: "nor should the enemy of the same nation in the jurisdiction of Casa Fuerte and Navajó come, because it is from there that the whole kingdom receives hurt. . . ."<sup>10</sup>

Added to the damages of Navaho and Apache raids in the 1660's was a drouth of three year's duration which greatly reduced the number of Pueblo Indians and caused widespread suffering among the Spaniards. The Navaho took advantage of the weakened condition of the province and by 1672 had driven off many horses and all of the sheep except a few small flocks which had been guarded with great vigilance.<sup>11</sup> The loss of horses was especially injurious, for most

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9. Charles W. Hackett and Charmion Shelby, eds. *Revolt of the Pueblo Indians of New Mexico and Otermín's attempted reconquest, 1680-1682. Coronado Cuarto-Centennial Publications, 1540-1940* (2 vols., Albuquerque, 1942), II, 299.

10. Charles Wilson Hackett, ed. *Historical documents relating to New Mexico, Nueva Vizcaya, and approaches thereto* (3 vols., Washington, D. C., 1923-37), III, 143.

11. *Ibid.*, 302.

of the troops in New Mexico were left without mounts. The damaging raids of this period undermined Spanish defenses and prepared the way for their expulsion from the province.

In 1677 Father Francisco de Ayeta, one of the Spaniards who most clearly foresaw the impending ruin of the province if the Navaho and Apache raids were unchecked, brought to New Mexico a wagon train of supplies for the Franciscan missions and a herd of one thousand horses for the troops.<sup>12</sup> In 1679 he was again in Mexico City petitioning for more men and horses for the relief of the beleaguered province. A year later, as he was approaching the Rio Grande with another wagon train of supplies, he met the Spaniards fleeing from Santa Fe, and learned that the Navaho and Apache had joined the Pueblo Indians in a concerted uprising.

While the Pueblo Revolt was in progress and during the absence of the Spaniards from New Mexico, the Navaho seem to have waged successful war against the Havasupai, whose lands lay to the west. According to the report of Fray Alonso Posadas in 1686, the Cosninas (Havasupai) had been subdued by the Navaho.<sup>13</sup> This war between the Navaho and Havasupai, which is supported by legends of the latter, is of significance in determining the western limits of Navaholand, for few Spaniards had an opportunity to visit it. Some writers have suggested that the Navaho did not occupy modern Arizona before the 18th century; the *informe* of Posadas indicates their presence in the region during an earlier era. It was not until 1692 that the Spaniards made a successful re-entry into New Mexico. For the remainder of the century they were engaged in combatting conspiracies and revolts of the Navaho and Jémez, and occasionally other Pueblo tribes.

Despite the intermittent conflict between the Navaho and Spaniards, members of the tribe came annually to a fair held for them in the province. They exchanged deerskins and woolen cloth for Spanish livestock, and "ransomed" their

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12. Letter of Fray Francisco de Ayeta. MS. In New Mexico Documents (3 vols., in Bancroft Library), I, 299.

13. *Informe* of Fray Alonso Posadas. *Ibid.*, 221.

prisoners taken in warfare. Thus they became suppliers of Indian slaves to New Mexico, a fact which seems to have relieved them of slave raids by the Spaniards. It was stated at this time that the Navaho made annual raids against the Pawnee and Jumano (Wichita?) of the Arkansas river region for the purpose of acquiring captives to be traded in New Mexico.<sup>14</sup> According to Father Juan Amando Niel, four or five thousand Navaho came each year to the fair, and on occasion large numbers of them aided the governor of New Mexico in wars against rebellious pueblos.<sup>15</sup>

In 1706 Governor Francisco Cuervo y Valdéz wrote a detailed account of the Navaho which is suggestive regarding their progress and change during the 17th century. The frontier of their lands lay, he wrote, along El Peñasco de las Huellas, the San Antonio, Jara, and Culebra rivers, the old pueblo of Chama, Embudo de la Piedra, Buenaventura de Cochití, San Felipe, Santa Ana, Cía, the jurisdictions of the Valle de la Cañada, Chimayo, Picuríes, Taos, the post of San Francisco del Bernalillo, the new villa of Albuquerque, San Diego y San Juan de los Jémez, Río Puerco, Cebolleta, San Jose de la Laguna, El Peñol de San Estevan de Ácoma, the places of Santa Ana, El Nacimiento, and El Morro, and the extended provinces of Zuñi and Hopi. His description of the Navaho merits inclusion.

In all this distance there live innumerable Indians of the same [Navajo] nation, though without the knowledge which those living nearer receive from us, dwelling as they do, in the territory extending from those frontiers to the banks and valleys of the said large river [Colorado], maintaining themselves from their fields. They cultivate the soil with great industry, sowing corn, beans, squash, and other seeds, such as those of *chile*, which they use having found them in the towns of our Christian Indians of this kingdom. Yet this is nothing new among these Apaches, for whenever they are sedentary they do the same things. They make their clothes of wool and cotton, sowing the latter and obtaining the former from the flocks which they raise. Although these things are true, the adversary of mankind . . . has perturbed the spirits of these Navajo Apaches on many occasions, as

14. Apuntamientos que a las memorias del Padre Fray Gerónimo de Zárate hizo el Padre Juan Amando Niel de la Compañía de Jesus. In *Documentos para la historia de Mexico* (4 series, 19 vols., Mexico, 1853-57) 3d series, pt. 2, 108.

15. *Ibid.*



has been seen in the continuous wars which they waged from the conquest of this kingdom up to the time of the general revolt of the fatal year 1680. These wars they have continued from the year 1693 until last year, 1705, when they were halted by the war which I waged vigorously against them because of their great crimes, their audacity, and their reckless depredations upon the frontiers and pueblos of this kingdom. . . . Their good faith is attested by the confidence with which they continue to barter and trade on our said frontiers and in our pueblos.<sup>16</sup>

In the 18th century relations between the Navaho and Spaniards changed remarkably. Although the Navaho were hostile during the early years of the century, and although many punitive expeditions were sent into their lands, by 1720 raids and reprisals had ceased and the Navaho no longer were numbered among the enemies of the province. This favorable situation was not caused by Spanish success in winning the friendship of the tribe, but for other and more impelling reasons. After 1700 the hostility of the Ute toward the Navaho had become particularly intense, and Ute incursions cost the Navaho large numbers of their livestock. In the same period, furthermore, a new and much more dreaded foe appeared—the Comanche. Comanche raids were carried deep into Navaho territory with impunity, for the tribe was formidable and enterprising in war. Between the invasions of the Ute and Comanche the Navaho, who were now people of considerable property, found themselves in much the same situation as the Spaniards. The herds and flocks which they owned made attacks upon them profitable for their enemies, and they were forced to assume the defensive. They soon realized that friendship with the Spaniards was necessary, and peaceful overtures were made.

Because of the peace with the Navaho, Spanish missionaries revived hope of converting the tribe to Christianity. In 1744 two Franciscan priests, Fray Carlos Delgado and Fray José Yrigoyen, entered the Navaho country from Isleta. The friendly reception which was given them and the willingness of the Navaho to listen to their exhortations pleased the padres immensely, and aroused even greater expectations. They

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16. Hackett, *op. cit.*, III, 381, 382.



hastened back to New Mexico and dispatched enthusiastic and optimistic reports to the superiors of their order.

As evidence of their sincerity the Navaho sent a delegation to Santa Fe, where it was addressed in a cordial manner by the governor.<sup>17</sup> Delgado and his equally zealous companion declared that on their brief visit they had converted 5,000 Navaho.<sup>18</sup> They must have made only a generous estimate, however, for it is doubtful that there were more than 4,000 in the tribe at the time. When word of the "marvelous conversion" of the Navaho reached the ear of the king, he commanded the viceroy to continue the campaign. The viceroy forwarded similar instructions to the governor of New Mexico, Joachin Codallos y Rabal, who assembled a dozen men known to be familiar with the Navaho country, and recorded their testimony. They were in general agreement that the Navaho were people worthy of becoming subjects of the king, and that they raised many sheep and horses. They described the customary dwellings, the excellent woolen and cotton cloth, and the baskets which the Navaho made. They placed the number of Navaho at between three and four thousand, large and small. In 1743 a Navaho had told the Spaniards of a silver deposit in his country and had offered to lead them to it. Governor Codallos accompanied the party which went in search, but no mine was found. The Navaho had received their visitors in a friendly fashion, and had furnished guides. Owing to his knowledge of the Navaho, the governor considered their conversion especially desirable.<sup>19</sup>

Four missions were authorized for the Navaho country and a garrison of thirty soldiers for their protection. The shortage of troops prevented the plan from being carried out completely, but in 1749 missions were established at Cebolleta and Encinal.<sup>20</sup> Many Navaho were persuaded to move

17. Carta del Reverendo Padre Fray Carlos Delgado, June 18, 1744. MS. In New Mexico Documents, *loc. cit.*, II, 692-701.

18. Carta del Padre Fray José Yrigoyen, June 21, 1744. *Ibid.*, 701-704. Translated in Hackett, *op. cit.*, III, 413, 414.

19. Letter of Governor Joachin Codallos y Rabal. MS. New Mexico Archives.

20. Joachin Codallos y Rabal. Año de 1745. Testimonio á la letra de los Autos que originales . . . Sobre La Reducción de los Indios gentiles de la Provincia de Navajó . . . MS. Bancroft Library. Translated in *Smithsonian Miscellaneous Collections*, C, 395-417.

their families to these two locations. Their willingness to make the change was the result of Ute and Comanche forays rather than desire to accept Christianity or village life, although this fact seems to have escaped the ardent missionaries. By 1750 there was evidence that the Navaho were not satisfied with only the spiritual rewards of Christianity, and when those of Encinal were refused permission to move to Cubero they abandoned the project.<sup>21</sup> Those of Cebolleta also decided suddenly to retire.

The unexpected withdrawal of the Navaho came as a rude blow to missionaries as well as certain officials of New Mexico. Upon investigation they learned that the principal cause of complaint was the failure of the missionaries to fulfill their promises to provide livestock, seeds, and tools to the supposed converts. The fact that the Navaho had an opportunity to observe closely the condition of the Pueblo Indians under Spanish control also had caused them to weigh more carefully the tangible benefits of their new life, and made them yearn for their old freedom. They did not immediately renew hostilities against New Mexico, however, and Spanish officials remained confident that Ute and Comanche attentions would force them to return.

In resisting the Ute the Navaho occasionally employed shrewd and resourceful methods, especially when flight to a precipitous mesa did not suffice for their safety. One group which was about to be destroyed by a war-party of Ute hastily made a crude wooden cross and held above it an almanac given them by the priests. They hailed their adversaries and informed them that the Spaniards had sent the letter and cross and commanded them to be friends. The ruse worked, and the governor of New Mexico, upon learning of it from the Ute, did not disclose the Navaho's secret in order to make the tribe indebted to him.<sup>22</sup>

One of the most serious problems of New Mexico officials

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21. Communication regarding the missions of Cebolleta and Encinal, and the occurrences in the year 1750. In *New Mexico Documents*, *loc. cit.*, II, 1090-95. Translated in Hackett, *op. cit.*, III, 424, 425.

22. Alfred Barnaby Thomas. *The Plains Indians and New Mexico, 1751-1778*. *Coronado Cuarto-Centennial Publications, 1540-1940* (Albuquerque, 1940), 117, 118.

in the 18th century was conducting the annual fairs for the Navaho, Ute, and Comanche without allowing hostilities to break out among them. Jealousy among these powerful tribes was strong, and the governors were in the delicate position of having to favor the more dangerous Comanche without actually appearing to do so. Another no less important and difficult task was preventing these tribes from becoming friendly enough with one another to permit them to forget mutual grievances and make common cause against the province.

The continued peaceful relations with the Navaho permitted the Spaniards to penetrate into lands formerly unsafe. In the 1760's a number of them settled on lands beyond the customary frontier. The Navaho were still hard pressed by the Ute and Comanche, and Spanish friendship and protection were valuable to them. The friendship of the Navaho was jeopardized, however, by the growing bonds between the Spaniards on the one hand and the Comanche and Ute on the other. In the 1770's the Navaho resentfully resumed their raids on New Mexico after a half century of peaceful relations. A few families, nevertheless, remained at Encinal and Cebolleta.<sup>23</sup>

The renewal of Navaho attacks combined with the uneasy peace of the Ute and Comanche threw New Mexico once more into a condition similar to that which had prevailed a century earlier. Chronic raiding again depleted the supply of livestock, so that once more it was necessary to send horseherds to New Mexico for the defense of the province.<sup>24</sup>

Attacks on the Navaho by Spaniards and Ute led some members of the tribe to seek peace in New Mexico. Since there was no tribal authority which all members of the tribe obeyed, however, peace was an individual matter. Some Navaho remained friendly and continued trading with the Spaniards even when others were carrying on raids. Navaho as-

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23. [Order of] Don Pedro Fermín de Mendingueta del Orden de Santiago . . . Gobernador y Capitan General de este Reino del Nuevo Mexico. 25 de Abril, 1771. MS. Bancroft Library.

24. Al Comandante Inspector de Presidios, 1 de Noviembre, 1775. MS. Provincias Internas, tomo 65. Bancroft Library transcript.

saults on the Hopi in this period virtually forced that tribe to accept Spanish protection, after resisting Spanish overtures for nearly a century.<sup>25</sup>

In 1777 the Navaho further complicated the problems of Spanish colonial officials by joining the Gileño Apache (Chiricahua) in their forays. This action, which was instigated by certain belligerent Navaho, was not popular with the whole tribe. A basic part of Spanish Indian policy in the northern provinces now was to separate the Navaho and Gileños, and to induce the former to wage war against the latter. In this period the Spaniards resolved to carry on unceasing warfare against the Apache until they were completely destroyed, since they harassed towns along the entire northern frontier.<sup>26</sup> Apache-Navaho attacks were directed, in the 1780's, against the settlements south and west of New Mexico, Tucson, Janos, and Arispe especially being the targets of their raids. Observers declared that as many as five hundred Navaho participated in some of these forays.<sup>27</sup> The number probably was greatly exaggerated, as it would have involved half of the men capable of bearing arms.

One of the Navaho chiefs identified as participating in the raid on Janos in 1783 was Antonio El Pinto. Thereafter Antonio was regarded with suspicion by the Spanish officials of New Mexico and Chihuahua. Even after 1784, when Governor Juan Bautista de Anza persuaded the Navaho to abandon their alliance with the Gileños, Antonio was thought to be resentful and unfriendly. Anza, one of the most astute Indian agents in the Southwest at any time, succeeded in winning the friendship of the Comanche as well as the Navaho, and during his regime New Mexico was more fortunate in her relations with the warlike tribes than at any other time.

25. Alfred Barnaby Thomas. *Forgotten frontiers* (Norman, Okla., 1932), 237.

26. Bernardo de Gálvez. Instrucción formada en virtud de real órden de su Magestad, que se dirige al Señor Comandante General de Provincias Internas Don Jacobo Ugarte y Loyola para gobierno y puntual observancia de este superior gefe y de sus inmediatos subalternos. 1786.

27. Nuevo-Mexico. Años de 1787, y 88. Copia de Oficio del gobernador del Nuevo-Mexico sobre la prision del Capitan Navajó llamado Antonio, Alias el Pinto. Oficio Número 13, Santa Fé de Nuevo-Mexico, 10 de Noviembre de 1787. Fernando de la Concha. MS. Provincias Internas, tomo 65. Bancroft Library transcript.



By the exercise of tact, patience, and embargoing trade with the Navaho, Anza finally obtained their assistance against the Gileños. Another of his accomplishments of no less significance was persuading the Navaho to accept the authority of a head chief.<sup>28</sup> An interpreter was placed among them, partially as a spy, and in part to absolve them of unfounded suspicions. With the head chief the interpreter visited all of the Navaho *rancherías* in 1786, and reported that the tribe consisted of about 700 families of four to five persons each, and that it was divided into five divisions: San Mateo, Cebo-lleta, Cañon, Chusca, and Chelly. There were 1,000 men capable of bearing arms in the tribe. They possessed upwards of 1,000 horses, a smaller number of sheep, and a few cows. These animals were cared for with considerable attention for their increase.<sup>29</sup> Very probably their herds and flocks had been depleted by the Comanche and Ute raids, and it is also likely that not all of the sheep were seen.

The reliance of the Navaho upon trade with New Mexico had been emphasized when it was cut off by Anza's order. Many Navaho protested that the lack of supplies caused suffering among them, and pleaded that it be restored. As soon as they had given evidence of their sincerity in severing the alliance with the Gileños, Anza re-opened the traffic.

Antonio El Pinto, who has been mentioned previously, visited Anza in Santa Fe in 1785, confessed his past wrongdoings, and promised to remain faithful in the future. His allegiance still was questioned, and on a number of occasions the interpreter was sent to check on him with regard to his possible participation in recent raids. No evidence against him was discovered; nevertheless he was not considered trustworthy. In October, 1787, Antonio and some of his kinsmen went to Isleta to trade. He was seized by the alcalde and taken to Santa Fe, where he was held pending orders from the Commanding General of the Provincias Internas. The head chief of the Navaho, as well as many others of the

28. Thomas, *Forgotten frontiers*, 345.

29. Extracto de ocurrencias sobre la division introducida entre Navajos y Gileños. 1786. MS. Provincias Internas, tomo 65. Bancroft Library transcript. Translated in Thomas, *Ibid.*, 345-351.



tribe, hastened to Santa Fe to plead with the governor, Fernando de la Concha, for his release. In July of 1788 Antonio was freed, for Concha had become convinced of his innocence and of his value as a friend to the Spanish cause. An escort of an officer, Vicente Troncoso, and four soldiers was provided the chief on his return trip to the Navaho country.

Troncoso's visit to Antonio's *ranchería* was one of the high points of the friendly relations between the Navaho and Spaniards. Troncoso declared that the Navaho men wore clothing similar to that of the Spaniards. He described their woolen mantas and commented on their baskets, which he asserted were the most esteemed not only in the northern provinces but in Mexico as well. He proposed to the Navaho that they concentrate upon the weaving of serapes for trade, and recommended that they purchase in New Mexico wool dyed in good colors to be used in their weaving.<sup>30</sup> Whether the Navaho accepted this advice or not is difficult to ascertain. They did weave serapes for trade, and there is evidence of their acquiring dyes and even yarns from the Spaniards. The *bayeta* yarn which the Navaho made was composed of ravelings from English red flannel or baize.

The peace established with the Navaho at this time endured for two decades more. Toward the end of the century sporadic raiding was resumed, for the Navaho had become strong enough to protect themselves against their enemies. In 1796 some of them broke the peace by renewing their former alliance with the Gileños. The governor of New Mexico sent expeditions against them, and by 1800 he was able to report that they had been pacified once more.<sup>31</sup> Friendly relations were not re-established, however, for the Navaho continued to join the Gileños, and the Pueblos of Jémez and Laguna again were subjected to their attacks. In 1804 some Navaho requested permission to settle at Cebolleta, but the settlement had been strengthened against

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30. Nuevo-Mexico. Año de 1788. Número 5. Vizente Troncoso to Fernando de la Concha. MS. Provincias Internas, tomo 65. Bancroft Library transcript.

31. Fernando Chacón, July, 1796, and June 21, 1800. MS. New Mexico Archives.

them, and the petition was refused. The Navaho resentfully increased their raids, and it was again necessary for Spanish expeditions to seek retribution in the Navaho country by the devastation of cornfields and the removal of sheep and horses. The Navaho replied by an attack upon Cebolleta.

Among the several campaigns against the Navaho in 1804 only the last one, conducted by Lieutenant Narbona late in December, achieved success. Narbona, despite the inclemency of the weather, marched deep into Navaho country and attacked the stronghold of Cañon de Chelly, where the Navaho considered themselves secure. An overwhelming victory was won by the Spaniards. Ninety men and twenty-five women fell before their gunfire, and thirty-six captives were taken. Thirty horses and nearly one thousand sheep also were seized by the victors.

The extraordinary triumph of Narbona enabled Governor Chacón to dictate severe terms in the peace treaty with the Navaho in March of 1805. The tribe gave up its claims to Cebolleta and to livestock in the possession of the Spaniards, and agreed not to graze its herds east of the canyon of Juan Tafoya, the Río del Oso, and San Mateo. When they came to Santa Fe in the future they were to expect no gifts, and further robberies on their part were to be punished severely. Equally bitter for the Navaho to accept was the demand that they return 4,000 sheep, 150 cattle, and sixty horses which had been stolen recently.<sup>32</sup>

For the remainder of 1805 the Navaho, still suffering from their defeat, preserved the peace. Toward the end of the year, however, the alcalde of Laguna recommended that Cebolleta be abandoned because of Navaho encroachments on the horse pastures of the settlement.<sup>33</sup> Other indications of dissatisfaction on the part of the Navaho were observed, although they were careful to avoid the outbreak of hostilities.

After the insurrection under Hidalgo began in Mexico, Spanish defenses against the Indians suffered from neglect

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32. Fernando Chacón, March 27, 1805. MS. New Mexico Archives.

33. Aragón, alcalde mayor of Laguna, December 6, 1805. MS. New Mexico Archives.

by the government. The Navaho took advantage of Spanish preoccupation elsewhere, and began stealing livestock. In 1815 they attacked Zuñi but were persuaded to abandon the warpath. Severe raids by the Comanche were blamed on the Spaniards, and Navaho attacks occurred with greater frequency, although not all members of the tribe were unfriendly. Many of them, in order not to have their trade interrupted, presented themselves before the *alcaldes* of various pueblos to demonstrate their loyalty. In 1818 raids by the Navaho caused the removal of herds from the frontier of their country. Similar conditions prevailed for the few remaining years of Spanish rule in New Mexico. In August of 1821 Agustín Iturbide declared Mexico independent of Spain, and New Mexico became a remote and relatively unimportant province of the chaotic Empire and later Republic of Mexico.

By the end of the period of Spanish rule in New Mexico the Navaho had evolved the material culture which they have preserved fairly intact into the present century. An examination of Spanish documents of the 17th and 18th centuries has revealed that many current ideas concerning the Navaho are erroneous. The belief that the tribe was small and insignificant in the early 17th century must be completely revised. Actually, as was stated on many occasions by Spanish officials of that epoch, the Navaho were the most troublesome of the New Mexican tribes. Spanish accounts also make patent the fact that by 1700 the Navaho were weaving cotton and wool, both of which they produced themselves. The fact that the Navaho were not known to raise cotton in later eras has led to the opinion that they did not grow it at any time. Similarly, their lack of basketry in more recent periods has caused a conviction that basketry was not one of the accomplishments in the years since the conquest of New Mexico. Not only were their baskets mentioned in numerous accounts but in the late 18th century they were declared to be well known even in Mexico. In the 17th century the Navaho not only acquired herds and flocks but increased their number considerably by accepting into the tribe refugees from the

pueblos. During the following century they completed the adoption of Spanish and Pueblo culture traits and the development of their characteristic way of life. A statement by Governor Fernando de Chacón concerning the Navaho in 1795 is a particularly appropriate conclusion:

These Gentiles are not in a state of coveting herds [of sheep], as their own are innumerable. They have increased their horse herds considerably; they sow much on good fields; they work their wool with more delicacy and taste than the Spaniards. Men as well as women go decently clothed; and their Captains are rarely seen without silver jewelry; they are more adept in speaking Castilian than any other Gentile nation; so that they really seem "town" Indians much more than those who have been reduced.<sup>34</sup>

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34. Lansing Bartlett Bloom. "Early weaving in New Mexico." *NEW MEXICO HISTORICAL REVIEW*, II, 233.

## A CORONADO EPISODE

By J. WESLEY HUFF \*

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**A**N accident of time in June 1540 resulted in bloodshed, murder, the martyrdom of Franciscan priests and an animosity on the part of the Zuñi Indians for people of Spanish ancestry which has lasted more than 400 years.

The chronicles of Coronado's expedition into the Southwest in 1540-42 in search of the Seven Cities of Cibola report incidents which the Spaniards attributed to the treachery of the Indians. The battle with Coronado at Hawikuh was a completely unfamiliar procedure for the Zuñis. Indians of the Southwest were accustomed to make raids and counter raids. But they did not fight in battle array and they did not stand siege.

The battle was not treachery. It was only the Indians' way of handling a strange and difficult situation which happened by a queer twist of fate, and never would happen again if the history of the period were to be re-lived. Vasquez de Coronado and his army leaders were unaware of the accident of time which made the Spanish people the traditional enemies of the Zuñi people.

Captain Juan Jaramillo, who accompanied Coronado, wrote a detailed account of the entire expedition telling of other Indian tribes with which the expedition came in contact. He unknowingly called for an explanation when he wrote: "All of these Indians, except the first in the first village of Cibola, received us well."

One explanation of the conflict with the Spanish is hinted in a story handed down by the people that the first soldiers to come from Mexico used the carved wooden figures in the Zuñi altars for firewood. The detailed story, however, has come to light only now through historical research involving

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the correlation of dates of the Julian calendar which was in use in 1540 with the primitive ritual calendar of the Zuñis.

The first contact made by Coronado and his men with the people of Zuñi was at the sacred lake near the confluence of the Little Colorado and Zuñi rivers a few miles northwest of St. Johns, Ariz. The Indians he met were members of a ceremonial party which had come to the lake on a quadrennial pilgrimage as part of the summer solstice ceremonies.

The Indians promised Coronado the food his men needed on the next day, and then ran away. That night there was a skirmish between a small party of Indians and an advance mounted patrol headed by Don Garcia Lopez de Cardenas. The Indians were the pilgrims and the place their sacred camping ground within a day's journey from the village of Zuñi. The location is a hogback through which the Zuñi river flows a few miles south of Witch Wells, Ariz. It was here, probably, that the Zuñis saw their Katchina altar figures burning in the campfires of the soldiers.

The decorum of the summer solstice pilgrimage at that point was thoroughly disrupted by the Spaniards. But the Zuñis were determined to carry it out in close traditional form even though it meant a fight.

Don Garcia reported the skirmish with the Indians that night to Coronado at the base camp, and the next day the troops moved toward Hawikuh, the first of the Zuñi villages. Here they found the Indians drawn up in hostile formation, and despite conciliatory advances from Coronado they chose to fight. It was a delaying action to permit the pilgrims to escort the Kor-kok-shi gods into the village of Zuñi some 15 miles to the northeast at sundown in traditional pattern, that they might dance for rain and bountiful crops uninterrupted in the plazas. The battle of Hawikuh was a successful delaying action. Coronado was wounded in the affray, and after the capture of the town his starving men remained there for several days to regain their strength on captured food supplies.

Coronado reported that three days after the capture of the town some of the people living there brought him gifts

and petitioned for peace, then suddenly packed off their belongings to the hills. It was not until Coronado recovered from the arrow wound in his foot some ten days later that he went on to the village of Zuñi where he found only a few old people. The rest had taken refuge on Corn Mountain, as became their custom during the many ensuing years of Spanish and Mexican occupation when things grew hot for them in their villages.

The rain making ceremonies of the summer solstice were carried out by the Zuñis that year under strange and trying circumstances. Some of the people died at Hawikuh that the gods might dance. What the reaction of the pilgrims was when they first saw the strange white people on their awesome horses will never be known. But when the strangers violated their shrines, the newcomers, whoever they might be, became unwelcome. Even today all people of Spanish ancestry, even those individuals whom the Zuñis consider to be their friends, are *persona-non-grata* at their ceremonials. They respect the feelings of the Zuñis by staying away. Some people trace the present-day resistance of the Zuñis to the ways of the white man and to their new right to vote to the accident of time which permitted Coronado to blunder into the most important ceremony on the Zuñi summer ritual calendar.

The key to the correlation of time which makes possible this analysis of the situation 409 years after it occurred lies in the date of the fixed feast of St. John the Baptist and the date of the summer solstice in 1540, both on the Julian calendar.

The Julian calendar was established about 45 B. C., but got out of synchronization with the seasons (equinoxes and solstices) because  $365\frac{1}{4}$  days was used as a basis of reckoning instead of the true period of the earth's tropical year which is 11 minutes 14 seconds shorter. This amounts to an error of a little more than three days in 400 years (one day in 128 years).

At the time of the council of Nice in 325 A. D., the Julian calendar was correct so that the equinox fell on March 21.

But by 1582 when Pope Gregory established the present Gregorian calendar, it had fallen back ten days. The Lowell Observatory at Flagstaff, Ariz., reports in the year 1540 the time of summer solstice was about 9.49 days earlier. Dropping the fraction, since it is less than half a day, the date of the summer solstice in 1540 was June 12, instead of June 21. This provides the information for the dates of the summer solstice ceremonies of the Zuñis in 1540.

When Pope Gregory in 1582 abolished the Julian calendar and substituted the New Style Gregorian calendar he directed the day following the feast of St. Francis, that is to say October 5, 1582, be reckoned as the 15th of the month. The next year the feast of St. Francis was celebrated October 14 as today. Applying the same procedure to St. John's day, observed under the Julian calendar on June 14, the date was advanced to the present June 24 date. The Julian calendar date for St. John's day is important in the history of the Coronado expedition, for it is from that date that the progress of the Spanish soldiers toward Hawikuh and Zuñi can be dated accurately.

The summer solstice had been observed two days earlier and the Zuñis had started preparations for the traditional ceremonies when Coronado's men reached a river they called the San Juan, because they reached it on the feast day of St. John the Baptist, June 14. The progress of the expedition is reported in detail in the account given by Capt. Juan Jaramillo:

Leaving here we went to another river, through a somewhat rough country, more toward the north, to a river which we called the Rafts [de las Balsas] because we had to cross on these as it was rising. It seems we spent two days between one river and the other [June 16] and I say this because it is so long since we were there that I may be wrong in some days, though not in the rest. From here we went to another river which we called the Slough [de la Barranca]. It was two short days from one to the other, and the direction almost northeast [June 18]. From here we went to another river which we called the Cold River [el rio Frio] on account of its water being so, in one day's journey [June 19], and from here we went by a pine mountain, where we found almost on top of it, a cool spring and streamlet, which was another day's march [June 20].

From here we went to another river, which we called the Red River<sup>1</sup> [Bermejo], two day's journey in the same direction, but less toward the northeast [June 22].

Here we saw an Indian or two, who afterward appeared to belong to the first settlement of Cibola [Hawikuh]. From here we came in two days journey [June 24] to the said village, the first of Cibola.

Pedro de Castañeda of Najera, writing some 20 years after the expedition of 1540-42, presents this information:

From here they went on through the wilderness, and in 15 days came to a river about eight leagues<sup>2</sup> from Cibola which they called the Red River because its waters were muddy and reddish.... The first Indians from that country were seen here—two of them who ran away giving the news [June 22]. During the night following the next day [June 23-24] about two leagues [5.26 miles] from the village [Hawikuh], some Indians in a safe place yelled so that, although the men were ready for anything, some were so excited they put their saddles on hind side before; but these were the new fellows. When the veterans had mounted and ridden around the camp the Indians fled. None of them could be caught because they knew the country.

The next day [June 24] they entered the settled country in good order, and when they saw the first village, which was Cibola, such were the curses that some hurled at Friar Marcos that I pray God may protect him from them.

These two accounts establish fairly accurately that Coronado met the first Zuñi Indians at the juncture of the Little Colorado and the Zuñi rivers close to the location of their sacred lake, and later that night a skirmish occurred at the camping place traditionally used by the Zuñi pilgrims on their return to the village.

The year 1948 was a pilgrimage year for the Zuñis to the sacred lake, Kothuluwala-wa, northwest of St. Johns, Ariz. Zuñi tradition calls for the pilgrimage every "fourth year." However, observations in recent times indicate the Zuñis count the ceremonial seasons—winter and summer—each as a "year" so that actually the pilgrimages have been taking place with regularity every second calendar year. This is

1. Bandelier identifies this as the Little Colorado river. At that time of year the Zuñi river runs almost dry, while even today there is a substantial stream in the Little Colorado.

2. An old Spanish league was 2.63 miles, eight leagues being equal to 21.04 miles.



true with other "four year" ceremonials. The summer solstice in 1948 occurred on June 21, and the pilgrims returned to the village with the Kor-kok-shi gods shortly before sundown on July 3, the 12th day in elapsed time after the solstice. The Zuñi observation of the solstice is made at sunset on the day it occurs, so when the pilgrims enter the village with the gods it is the 12th sunset after the date of the solstice.

In the year 1540 the summer solstice occurred on June 12 the Lowell Observatory reports. With the Zuñis starting to count at sunset on June 12 for the summer solstice ceremonies, the pilgrims with the Kor-kok-shi gods would arrive back in the village at sundown June 24. That is the date of the battle at Hawikuh, 15 miles southwest of the main Zuñi village where the ceremonies are conducted.

Stevenson, in the 23rd annual report to the Bureau of Ethnology, reports pilgrims from the village of Zuñi make a journey every four years to the sacred lake in which the Katchina gods live. On their trip out they camp the first night (ninth night after the solstice or June 21 in 1540) on a ridge or hogback through which the Zuñi river flows. The next day (June 22 in 1540) the pilgrims split into two parties, each going to sacred heights close to the sacred lake, and later sink weighted prayer sticks in the marshy lake. They camp that night on one of the hills, and on the morning of the 11th day after solstice (June 23 in 1540) they return to the marsh to hunt for turtles. It was June 23, 1540 the accounts disclose that Coronado made first contact with the Zuñis.

After the turtle hunt they make a sacred fire by friction and light a torch of cedar bark which is to be carried back to Zuñi. Once the fire is kindled it is a signal for the start of the return trip. Other brands are kept in readiness for the fire must not go out on the way. They also gather pinkish clay used by the personators of the gods.

The carrier of the torch runs back and forth as the pilgrims return, setting fire to dead clumps of sagebrush so that the smoke may rise in clouds like the breath clouds from the gods of the lake. That night (June 23 in 1540) they camp



at the same ridge where they camped on the trip out. A fire is built and a dance held until midnight. Early in the morning of the 12th day after the solstice (June 24 in 1540) they continue on to Zuñi, meeting the Kor-kok-shi gods outside the village. They cross the river and enter the town at sunset to dance in the plazas.

Coronado wrote a letter on August 3, 1540 to Don Antonio de Mendoza, viceroy of New Spain, in which he reported the day the expedition met the Indians he sent Don Garcia Lopez ahead to occupy any bad places the Indians might defend. Don Garcia apparently discovered the hogback campsite used by the Zuñis on their pilgrimage, for the night he occupied it was the very night the Zuñi pilgrims were scheduled to use it. He also tells of the skirmish on the ridge that night with the Indians.

Here is a translation of part of his letter:

I sent the army-master, Don Garcia Lopez de Cardenas, with 15 horsemen, a day's march ahead of me, in order to explore the country and prepare the way. . . . The way was very bad for at least 30 leagues and more through impassable mountains. But when we had passed these 30 leagues, we found fresh rivers and grass like that of Castile. . . . No Indians were seen during the first day's march, after which four Indians came out with signs of peace, saying they had been sent to that desert place to say that we were welcome, and that on the next day the tribe would provide the whole force with food. The army-master gave them a cross, telling them to say to the people in their city that they need not fear, and that they should have their people stay in their own houses, because I was coming in the name of His Majesty to defend and help them.

After this was done, Ferrando Alvarado came back to tell me that some Indians had met him peaceably, and that two of them were with the army-master waiting for me. I went to them forthwith and gave them some paternosters and some little cloaks, telling them to return to their city and say to the people there that they could stay quietly in their houses and they need not fear.

Coronado apparently was playing safe and prepared for "treachery" from the Indians. He continued:

After this I ordered the army-master to go and see if there were any bad passages which the Indians might be able to defend, and to seize and hold any such until the next day when I could come up. He

went, and found a very bad place where we might have received very much harm. He immediately established himself there and with the force which he was conducting. The Indians came that very night to occupy the place so as to defend it, and finding it taken, they assaulted our men. According to what I have been told, they attacked like valiant men<sup>3</sup> although in the end they had to retreat in flight, because the army-master was on the watch and kept his men in good order.<sup>4</sup> The Indians sounded a little trumpet as a sign of retreat, and did not do any injury to the Spaniards.<sup>5</sup>

The army-master sent me notice of this the same night, so that on the next day I started with as good order as I could, for we were in such great need for food that I thought we should all die of hunger if we continued to be without provisions for another day, especially the Indians, since altogether we did not have two bushels of corn, and so I was forced to hasten forward without delay.

Here Coronado reports that the Indians lighted fires to signal the approach of the troops toward the village. Smoke signals probably were ignited, but it is interesting to consider the possibility, however remote, that the signals may have been those lighted by the torch carrier with the party of pilgrims as it continued to carry out in detail the traditions of the ceremony despite the threat from the white strangers. This is what Coronado said:

The Indians lighted their fires from point to point, and these were answered from the distance with as good understanding as we could have shown. Thus notice was given concerning how we went and where we had arrived.

The story of the battle of Hawikuh as told by Coronado in his letter to the viceroy is well known. The Zuñis rejected his offer of peace and showered his emissaries with arrows. A few of the Indians were killed in a preliminary skirmish which preceded the siege of the town. He reported his men were weak and "the hunger they suffered would not permit of any delay." The people of Hawikuh defended the walls with showers of arrows and by hurling rocks at the soldiers

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3. Don Garcia must have wanted to make himself and his men look good in Coronado's report. Castañeda waited 20 years to describe it as a fiasco.

4. Castañeda said some of the men put their saddles on backwards in the excitement.

5. The trumpet sound might have come from bullroarers used by the pilgrims in the ceremonies.

below. Coronado was bruised and cut on the face by a rock and an arrow pierced his foot.

"But, by the pleasure of God," he wrote, "these Indians surrendered, and their city was taken with the help of Our Lord, and a sufficient supply of corn was found there to relieve our necessities."

So while Coronado nursed his food wound, and his men their numerous cuts and bruises, and relieved the frenzy of their hunger with captured corn, the pilgrims continued on to Zuñi and danced without interruption in the plazas. After a night spent in one of the kivas the dancers made the rounds of the plazas again the next day to conclude the summer solstice ceremonies.

The battle of Hawikuh had been a successful delaying action. Actually it was a Zuñi victory, for the Spanish never won anything from it except a few bushels of corn; and because of it never were able to establish peace with the Zuñis.

## OLD SETTLERS IN OTERO COUNTY

*By* DAN McALLISTER\*

**D**ID I ever tell you about the time they amputated that old Apache chief's arm in Alamogordo? Well, Mom helped the doctor—But first I'd better sketch something of Mom's pioneer background for you, and of course, Pop's. They were my foster parents, Henry and Carrie Sutherland, ranchers of La Luz, Otero County, Territory of New Mexico.

Samuel Henry Sutherland was born in Lawrence, Kansas. He was a posthumous child, born after his father was killed in a massacre of Lawrence citizens by the Missouri Redlegs during the Civil War, or just after.

Mom was born Carrie Findley, in Meadville, Mercer County, Pennsylvania. When she married Pop they moved to El Paso, and there Pop drove a span of mules hitched to a scraper at the Santa Fe grade when that railroad built west through El Paso. He worked from 6 a. m. to 6 p. m. for one dollar a day. And he saved money! Later he and Frank Stuart opened the Pioneer Grocery, first of its kind in El Paso. They made money hand over fist.

One interesting item: That was absolutely the first modern (for that day) grocery in El Paso; and meat sold there was wrapped in paper. Most of the native customers had never seen wrapping paper. They supposed it must cost extra. When they came to buy meat they would wear a "meat ring"—an iron finger ring with a sharp two-inch hook fixed to it—and they would have Pop hang their steak or chops or liver on that hook. They carried home their meat that way, hanging from a meat ring, the flies and dust notwithstanding.

In 1886, for his health's sake, Pop sold his grocery business and moved to La Luz, New Mexico Territory, where he became a cattleman.

It must have been about then that Grandpa and Grandma Findley came out from Pennsylvania. Grandpa had been to

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California in the gold rush days but he hadn't found any gold. Now his health was poor. Grandma was the most resourceful and the most independent person I have ever known; she developed into the best pioneer of them all. I must tell you about her some time. She was a great old girl.

Mom's brother was a gambler. Almost everybody in the Southwest in those days had heard of Eddie Findley the honest gambler. When luck was against him in a card game he would sometimes send down his gold-headed cane to the pawn shop for \$500, though it really was not worth more than a hundred. Always he redeemed his cane. He didn't feel fully dressed without it. A card-shark, yes, but Uncle Eddie was one of the kindest of men. When he died of tuberculosis in Phoenix about 1905 he had the longest funeral (horses and buggies) that Phoenix ever saw. Everybody went. The funeral procession was two miles long. And that's a fact that can be verified.

Many and scary were Mom's and Pop's experiences during their fourteen years of New Mexican frontier life, as I have often heard them tell.

Often in those wild days the Sutherlands had to abandon their beds to sleep on pallets in corners of the 'dobe house where they would be safe from marauders' bullets. The two-foot 'dobe walls were pretty nearly bulletproof. Sometimes they propped mattresses inside the windows to stop the bullets.

Once, during a range war, or as Pop would say, while a lot of his cattle were being rustled, one formidable cattle thief in a friendly gesture reached up to shake Pop's hand, grasped it firmly and pulled Pop out of his saddle to the ground. Pop's six-shooter fell out of its holster. As he lay sprawled Pop reached for that gun, but the rustler kicked it out of his reach. "Oh, no you don't, you sonofabitch!" he said. Then he planted his bootheel in Pop's face and ground it in. The imprint remained on Pop's jaw until he died in 1928 or 1929. The rustler was sore at Pop for complaining to the sheriff about loss of cattle.

For years people in and around La Luz looked to Mom

for help in sickness and distress. Frequently there would be no doctor within twenty-five or thirty miles (quite a distance by horse and wagon or on horseback), and often for months there was no preacher nearer than Roswell or Las Cruces. One exception: Father Majóne, or Maggióne, I am not sure of the spelling. He was a smallish man, Godly, and always on the job in Otero County. Mom was not a Catholic, but she and Father Majóne sometimes "collaborated" on cases.

Mom officiated at births sometimes, she nursed diphtheria and smallpox and arranged for isolation of such cases, and she set bones. She comforted the dying. She sometimes helped lay out the dead and then would preach, or rather just talk a bit, at their burials. Old Grandma Findley was the "preacher."

The Spanish people in La Luz called Mom "Santa Catalina." Mom was a good woman with a heart full of the milk of human kindness, but no one could ever accuse her of being puffed up about it. Of necessity she learned how to do many things that had to be done; and to her, serving people was just part of frontier life.

La Luz was then 86 miles from the nearest railroad. Twice a year Pop would make a trip down to El Paso and haul back a four-horse wagonload of supplies—sugar, flour, coffee, yardgoods, soap, and other staples. Sometimes we would run out of those things. For washing soap, at such times, Mom used *amole*—a suds-making plant indigenous to the Southwest and used by the native people for generations. The brown bark would be scraped off the *amole* roots and the white, pithy fiber beaten almost to a pulp. It made excellent soap.

Though Mom was kind-hearted and often substituted for doctor and minister and even undertaker, she was thoroughly self-reliant and courageous. There was the time she drove a dozen Apache bucks and squaws out of the house in La Luz. The Indians had come down from the Mescalero reservation to trade with the whites, as they sometimes did. They brought old war-clubs, bows and quivers of arrows,

beautiful feather headdresses, beaded moccasins, smoked mescal boles, and quarters of fresh venison to barter for sugar, lard, coffee, yardgoods, and—if they could get it—whiskey. Usually the Apaches behaved themselves, but on this particular day when they found Mom alone at the ranch house, they crowded up on the back porch, then into the kitchen, and on into the house. Mom got scared, or mad, or both maybe. She grabbed up a shotgun and drove the Indians out of the house and off the place.

And mountaineers used to come down from the Sacramentos to barter with people around La Luz and Tularosa. They brought down eggs and butter and wild strawberries to trade for things they needed. Always they had an abundance of freshly churned butter. They brought it in chunks about the size of a man's head, wrapped in cloths. It was unsalted butter, sweet and delicious. The mountain butter-and-egg men worked up something of a business among us plains people.

There was no such thing in those days as cellophane or waxed paper. Cartons were practically unknown in the plains country. Even ordinary wrapping paper was scarce. That is why the mountaineers used cloths to wrap their butter. Any kind of cloth that came to hand—pieces of aprons, bandannas with the color bleached out, perhaps a white piece of cloth that obviously had been one leg of some demure mountain lassie's old-fashioned drawers, or the tail of a man's shirt. In time that mountain dairy product became known as "shirt-tail butter."

Old Grandma Findley became an even better pioneer woman than Mom, but her energy was divided mainly between two activities: her church and missionary work among the mountaineers, and shooting her trusty 12-gauge shotgun at skunks, chicken hawks, coyotes, wildcats, and once or twice at human marauders. Riley Baker, one of the best sheriffs Otero County ever had, once told Grandma she was the best man with a scattergun in the County.

Some years later Riley Baker was killed by the Yaquis in Old Mexico. He and two other expert gunmen had under-

taken to guide a party of about twenty-five Americans who went prospecting for gold down in the Yaqui country of Old Mexico. Now the Yaquis had never been conquered by Spaniards, Frenchmen, Mexicans, or Americans. They were courageous fighters, and cunning; and they allowed no strangers in their domain. Not even the Dictator-President Porfirio Diaz' *rurales* even penetrated very far or remained for long in Yaqui country. But the five and twenty fool-hardy, gold-crazy Americans would not be deterred. The Yaquis massacred the entire party.

When searchers found Riley Baker's body it was hanging impaled upon a tree. His eyelids had been cut off so the blazing sun would burn his eyeballs. Long cactus thorns had been thrust far under his finger- and toenails. . . . His whole body had been slashed and beaten. Riley Baker had suffered a horrible, lingering death by torture.

One evening in January 1896 Colonel Albert J. Fountain and his 14-year-old son, Henry, spent their last evening on earth at our house in La Luz. I was too young to know the score then, but in later years I heard the story told half a hundred times. Colonel Fountain, as government prosecutor, was most active in prosecution of cattle thieves in the Territory. He had just finished his duties in the Lincoln courts and was on his way to prosecute other cattle rustlers in the Silver City courts, the story explained.

While the Fountains were eating supper, the mail carrier, driving a buckboard with U. S. mail on schedule up from El Paso via Las Cruces, arrived at our place. This mail man told Colonel Fountain that he had seen a gang of mounted men back along the road about ten miles. "I wouldn't go on tonight, Colonel, if I were you," he said.

Young Henry Fountain spoke up. "Oh, we're not scared," he said. "I can drive while Papa shoots." An hour later Father and Son drove on into the night. They were never seen again.

Searchers later found Fountain's smashed buckboard and a bloody ten cent piece, the story said. Nothing more. Somewhere near or in the White Sands, it is supposed, the



Fountains were waylaid, shot to death, and their bodies disposed of so well that to this day, more than fifty-four years later, they have not been found.

A few days ago, November 27, 1950, an item appeared in the *Denver Post* stating that Colonel Fountain's Masonic pin had been found recently and that a search-party including Fountain's grandsons, Arthur Fountain and Henry J. Fountain, had made a fruitless search of the area where the pin was found. The party had hoped either to discover skeletons or signs of recent digging. The *Post* story suggests that the strange disappearance of the two Fountains seems destined to remain one of New Mexico's greatest unsolved mysteries.

Personally, I am inclined to believe the remains will be found in the not-too-distant future. Is it not strange that so small a thing as a lodge pin would be found after all these years and nothing else be discovered?—something like a skull and some bones, for instance? Does it not seem that *somebody* planted that pin where it would be found, somebody that hoped the pin would serve as a clue to the burial spot of two bodies? Perhaps that *somebody* is a very old man who wants to get at least that much of the load off his conscience; or, that somebody could be the son, or even a grandson, of one of Colonel Fountain's murderers, who wants to have the mystery solved without incriminating his parents. The one gesture (planting the Masonic pin) having failed to lead inquisitors to a solution of the mystery, it would not be at all surprising if another gesture is made before very long by the same person or persons possessing knowledge of the Fountain disappearance. What with extensive government rocket experimentation going on in the White Sands area, droves of tourists driving annually through the Land of Enchantment, and the usual every-day movements of residents about the countryside, somebody some day will undoubtedly find some clue that will lead searchers to the skeletal remains of Colonel Fountain and his plucky young son. Barring the possibility, of course, that the Fountains' murderers may have burned their bodies.



Just before the turn of the century, when the new railroad was building up from El Paso northeasterly across the Territory and on East, a new town sprang to life near a clump of big cottonwood trees growing between the foot of the Sacramento Mountains and the White Sands. The new town was named Alamogordo. Fat Cottonwood, that is, in Spanish.

A sawmill was erected in the new town. J. A. Eddy and his brother, president and vice-president of the new E P & N E railroad, established a freight yard and built a big roundhouse there. Frank Rolland opened up the first drug store and soda fountain in Otero County, a business that Henry Sutherland was later to buy a partnership in. Manning's *Alamogordo News* leaped into print. A grade school was started. Pierce's Grocery opened, displaying its green vegetables in open boxes set along the wooden sidewalk. Every dog in Alamogordo included Pierce's Grocery in its daily rounds, until one day an item appeared in the *News*: "Every citizen of Alamogordo that we have consulted in the matter has stated definitely, even emphatically, that he preferred his peas in the plural and not the singular." Pierce took his boxes of fresh vegetables off the sidewalk at once.

To haul timber down from the Sacramentos to the Alamogordo sawmill, the railroad built a spur from La Luz up into the mountains. Thus originated Cloudcroft, a delightful summer resort. All draughting and planning for that scenic "corkscrew railroad" was done in our house in La Luz by Chief Engineer Sumners, of Denver, and his staff. The little logging road wound up the mountainsides like a corkscrew, truly. At one spot passengers could look from a car window down upon five other parallel stretches of track on the same mountainside. Unique mountain-climbing engines, with a battery of cylinders mounted vertically on one side and the boiler mounted off-center on the other side for balance, hauled trains up and down the steep winding grades of this, the crookedest railroad in the world!

Now Pop owned many water-rights in the part of Otero

County; he spoke Spanish; and he knew the country well, having run cattle over most of it. The new Alamogordo Improvement Company offered him a position as interpreter, buyer of vital water-rights, and general advisor. He sold off the larger part of the ranch near La Luz and moved with Mom to Alamogordo. I stayed with Grandma Findley at La Luz.

But I used to get a wagon ride down to Alamogordo once in a while, and it was on one of my visits to town that I saw the old Apache chief get his arm cut off.

It was the Fourth of July. Everybody celebrated. Several small bands of Indians rode horseback and on burros down from the Mescalero Apache reservation to see the "doin's" in Alamogordo. They got hold of some of the white man's fire-water. There were fights. The old chief I'm telling you about had his right forearm horribly mangled by a shotgun blast. His friends brought the old warrior up to the doctor's office, the only one in town. It was across the hall from Mom's flat, upstairs over Frank Rolland's drug store.

There was not a trained nurse in town. The doctor had heard of Mom's experiences with sick people, and he asked her to help him. Together they got the patient stretched out on a table. The chloroform Mom administered to that Indian would have put a horse to sleep, but not him! Once, when they thought the patient was pretty well under, the doctor, recently from the East, remarked: "He looks like a tough old *hombre*. I'll bet he's killed a lot of people in his time."

"*O sí, si Señor,*" said the old Apache slowly. (Oh yes, yes Sir.) He wasn't out any more than I was, and I was standing there in the door to the next room watching everything that went on.

Without further delay, then, the doctor went ahead and cut off the arm below the elbow. He folded flesh back over the ulna and radius bones and stitched it, and bandaged the stump well. Mom made a sling of a towel to support the Indian's elbow.

Though conscious during the entire operation, the Apache didn't flinch or even grunt. When it was over he got down off the table, put on his big felt hat over two braids of black hair that hung down, and walked out. The doctor had said nothing about pay and the Indian didn't offer any. At the stairs he turned and went down backwards as he would have descended a ladder. Never before had he been in a house with stairs.

Later in the day we saw that old Apache lying in the shade of a cottonwood. A squaw was seated on the ground holding the chief's head in her lap. Another was fanning flies off him with a switch of horse-hair. The towel sling Mom had made was gone, and the stump was wrapped in a red bandanna. A little way off another squaw was saddling up some horses preparatory to their return trip to the reservation.

## CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

(Continued)

### Messages of the governor to the Territorial and State legislatures, 1847-1949.

- 1847 Governor's message (Donaciano Vigil) delivered to the Senate and House of Representatives, Santa Fe, N. M., Dec. 6, 1847. . . . Hovey & Davies, Printers.  
First official document of its character following the American occupation.  
Broadside 24x40.5 cm.  
Text printed in three columns.
- 1851 Message of His Excellency James S. Calhoun to the First territorial legislature of N. M., June 2d, 1851. (Santa Fe) 1851. 7,7p. (E&S)  
Message of His Excellency James S. Calhoun to the First Territorial legislature of New Mexico, Dec. 1, 1851. Santa Fe, Printed by J. L. Collins and W. G. Kephard, 1851. 8, 8p. (E&S)
- 1852 Message of William Carr Lane, Governor of the Territory of N. M., to the Legislative assembly of the territory, at Santa Fe, Dec. 7, 1852. Santa Fe, Published at the Gazette office, 1852. 14p.
- 1853 First annual message of David Meriwether, governor of the territory of New Mexico; delivered to the Legislative assembly, Dec. 6, 1853. Santa Fe, J. L. Collins, printer, 1853. 13p. (E&S)
- 1854 Message of David Meriwether to the Council and House of Representatives in Journal of the Hon. Council of the Territory of N. M., being the second session of the Third Legislative assembly begun and held in Santa Fe, Dec. 4, 1854. Santa Fe, Gazette office, 1855, app. p. 169-176.  
Messages usually included in House and Senate journals.
- 1854 Governor Meriwether's special message to the legislature, Dec. 11, 1854.
- 1855 Message of W. W. H. Davis, acting governor of the territory of New Mexico, delivered to the legislative assembly, Dec. 3, 1855. Santa Fe, Printed in the Santa Fe Weekly gazette office, 1855. 12p. (E&S)
- 1856 Mensaje anual de D. Meriwether, gobernador del territorio de



Nuevo Mejico. Leido Diciembre 2 de 1856 a las dos camaras de la asamblea legislativa. Santa Fe, Imprimido (sic) en la oficina de la gaceta, 1856. 7p.

- 1857 Message of His Excellency Governor Rencher delivered to the legislative assembly of the territory of New Mexico, Dec. 7, 1857. Santa Fe, Printed in the Weekly gazette office, 1857. 8p.
- 1858 Message of Gov. Rencher to legislature, vetoing act providing for revision of laws of New Mexico, Feb. 3, 1858. Santa Fe, 1858. 10p.
- The annual message of Gov. Rencher delivered before the legislative assembly of the territory of New Mexico, Dec. 8, 1858. Printed by the Santa Fe gazette co., 1858. 7p. (E&S)
- Mensaje especial Enero 4 de 1858. (A. Rencher) 1 leaf
- Special message of Gov. Rencher, executive department, Santa Fe, Dec. 17, 1858. (Santa Fe, 1858) 3p.
- A message in answer to a resolution of the assembly, requesting information on the state of the war with the navajos.
- 1859 Special message of Gov. Rencher to legislature, Jan. 15, 1859. (Santa Fe) 1859.
- On military roads.
- Special message from Gov. Rencher to legislature, Jan. 22, 1859. Concerning the palace.
- Gov. Rencher's annual message to legislature, Dec. 5, 1859.
- 1860 The fourth annual message of Gov. Rencher delivered before the legislative assembly of the territory of New Mexico, Dec. 6, 1860. (Santa Fe, 1860) 11p.
- Message to the Council and House of representatives, in Journal of the House of representatives. . . 10th session. . . 3d day of Dec., 1860. Santa Fe, Russell, 1861. p. 11-18.
- 1861 First annual mesage of Gov. Connelly delivered before the legislative assembly. . . Dec. 4, 1861. Santa Fe, Printed in the Gazette office, 1861. 13p.
- Also in Journal of the House of representatives. . . 11th sess. . . 4th day of Dec., 1861. Santa Fe, O'Brien, 1862. p. 11-23.
- 1862 Executive message of His Excellency William F. M. Arny, acting governor of New Mexico, to the Legislative aassembly of the territory delivered the 2d day of Dec., 1862. (Santa Fe) Printed at the Office of the Santa Fé gazette, 1862. 26p. (E&S)
- Also in Journal of the House of representatives. . . 12th sess. . . 2nd day of Dec., 1862. Santa Fe, Santa Fe gazette office, 1863. p. 9-34.

- 1863 The second annual message of His Excellency Henry Connelly to the legislative assembly of the territory of New Mexico delivered Dec. 9, 1863. Santa Fe, Printed at the "New Mexican" office, 1863. 10p.  
Also in Journal of the House of representatives. . . 13th sess. . . Santa Fe, Tucker, 1864. p. 11-53.
- 1864 The third annual message of Gov. Connelly delivered before the legislative assembly of the territory of New Mexico Dec. 6, 1864. Santa Fe, Printed at the Office of the Weekly gazette, 1864. 18p.  
Also in Journal of the House of representatives. . . 14th sess. . . 7th day of Dec., 1864. p. 13-31.
- 1865 The fourth annual message of Governor Connelly to the legislative assembly of New Mexico delivered Dec. 6, 1865. Santa Fe, Manderfield and Tucker, printer, Office of the "New Mexican," 1865. 31p. (E&S)  
Also in Journal of the House of representatives. . . 15th sess. . . 6th day of Dec., 1865. Santa Fe, Manderfield & Tucker, 1866, p. 16-45.
- 1866 The second annual message of acting governor Arny to the legislative assembly of New Mexico delivered Dec., 1866. Santa Fe, Manderfield and Tucker, public printers, Office of the "New Mexican" (1866) 40p.  
Valedictory address of Gov. Henry Connelly and the inaugural of Gov. Robert B. Mitchell delivered in front of the palace Monday July 16, 1866. Santa Fe, Printed at the Office of the Weekly gazette, 1866. 7p.
- 1867 The first annual message of Gov. Robert B. Mitchell delivered before the legislative assembly Dec. 3, 1867. (Santa Fe, 1867) 31p.  
Also in Legislative council journal 17th sess. Santa Fe, Manderfield & Tucker, 1868. app. p. 5-28, House journal p. 21-55.
- 1868 The second annual message of governor Robert B. Mitchell delivered before the legislative assembly of the territory of New Mexico Dec., 1868. Santa Fe, Printed at the office of the Weekly gazette, 1868. 28p.  
Also in House journal, 1868. Santa Fe, Manderfield & Tucker, 1869. p. 19-48.
- 1869 The first annual message of His Excellency Wm. A. Pile to the legislature of New Mexico Dec. 8, 1869. Published by the order of the legislature. Santa Fe, Manderfield & Tucker, public printers, 1869. 15p.
- 1871 First annual message of Governor Giddings to the legislative

- assembly of the territory of New Mexico. Dec. 1871. Santa Fe, A. P. Sullivan, public printer, 1871. 54p.
- 1873 Message of Governor Marsh Giddings to the legislative assembly of New Mexico, Dec., 1873. Santa Fe, Manderfield & Tucker, public printers, 1873. 46p.  
Also in Journal of the Legislative council 1873/74. app. 46p.
- 1875 Message of Governor Samuel B. Axtell to the legislative assembly of New Mexico, Twenty second session. Santa Fe, Manderfield & Tucker, public printers New Mexican office, (1875) 16p.
- 1878 Message of Governor Samuel B. Axtell to the legislative assembly of New Mexico, 23rd session. Santa Fe, Manderfield & Tucker, public printer (1878) 16p. (E&S)  
also in Journals of the Council and House . . . 23rd sess. and the Rules of order of the legislative council of the 23rd legislative assembly.
- 1880 Message of Governor Lewis Wallace to the legislative assembly. . . 24th session. Santa Fe, 1880.
- 1882 Message of Governor Lionel A. Sheldon to the legislature of New Mexico at its session commencing, Jan. 2, 1882. Santa Fe, Charles W. Greene, public printer, 1882. 20p. (E&S)
- 1884 Message of Lionel A. Sheldon, governor of New Mexico, delivered to the 26th legislative assembly, Feb. 19, 1884. Santa Fe, New Mexico printing co., 1884. 16p.
- 1886 Governor's (Edmund G. Ross) message to the Council and House of representatives of the 27th legislative assembly. . . Las Vegas, 1887. 26p.
- 1889 Governor's messages to the Council and House of representatives of the 28th legislative assembly of the territory of New Mexico. Santa Fe, New Mexican printing co., 1889. 83p.
- 1890 Message of Gov. L. Bradford Prince to the twenty-ninth legislative assembly of New Mexico, Dec. 30, 1890. Santa Fe, New Mexican printing co., 1891. 43p. (E&S)
- 1892 Message of governor L. Bradford Prince to the thirtieth legislative assembly of New Mexico, Dec. 28, 1892. Santa Fe, New Mexican printing co., 1892. 38p. (E&S)
- 1894 Message of Governor William T. Thornton to the thirty-first legislative assembly of New Mexico, Dec. 31, 1894. Santa Fe, New Mexican printing co., 1895. 26p. (E&S)
- 1897 Message of Governor William T. Thornton to the 32nd legislative assembly of New Mexico, Jan. 18, 1897. Santa Fe, New Mexican printing co., 1897. 25p. (E&S)
- 1899 Message of Gov. Miguel A. Otero to the 33d legislative assembly

- of New Mexico, Jan. 16, 1899. Santa Fe, New Mexican printing co., 1899. 14p. (E&S)
- 1901 Message of Gov. Miguel A. Otero to the 34th legislative assembly of New Mexico, Jan. 21, 1901. Albuquerque, Democrat pub. co., 1901. 13p. (E&S)
- 1903 Message of Miguel A. Otero, governor of New Mexico, to the 35th legislative assembly of New Mexico, Jan. 19, 1903. Santa Fe, New Mexican printing co., 1903. 32p. (E&S)
- 1905 Message of Miguel A. Otero, governor of New Mexico, to the 36th legislative assembly, Jan. 16, 1905. Santa Fe, New Mexican printing co., 1905. 36p. (E&S)
- 1907 Message of Gov. Herbert J. Hagerman to the 37th legislative assembly of New Mexico, Jan. 21, 1907. Santa Fe, New Mexican printing co., 1907. 52p. (E&S)
- 1909 Message of George Curry, governor of New Mexico, to the 38th legislative assembly, Jan. 18, 1909. Santa Fe, New Mexican printing co., 1909. 36p.
- 1912 Message of William C. McDonald, governor of New Mexico, to the first state legislature, March 12, 1912. Santa Fe, New Mexican printing co., 1912. 38p. (E&S)
- 1913 Message of William C. McDonald, governor of New Mexico, to the first state legislature, second session, Jan. 15, 1913. Santa Fe (1913) 37p. (E&S)
- Special message of the governor, 1st legislature, second session, state of New Mexico, transmitting special report of the attorney general of New Mexico relative to the state boundary cases and exhibits in connection therewith. Received from the governor of New Mexico Feb. 20, 1913; ordered printed, referred to judiciary committee. n.p.n.d. 37p.
- Special message of the governor, 1st legislature, 2nd session, state of New Mexico, transmitting a memorial relative to indebtedness for gun sheds incurred by citizens of Roswell, together with such memorials and exhibits of representatives from the governor, Feb. 20, 1913; ordered printed and referred to the finance committee. n.p.n.d. 20p.
- 1915 Message of William C. McDonald, governor of New Mexico, to the second state legislature, Jan. 13, 1915. Santa Fe, New Mexican printing co., 1915. 24p. (E&S)
- 1917 Message of E. C. DeBaca, governor of New Mexico, to the third state legislature, Jan. 10, 1917. Santa Fe, New Mexican printing co., (1917) 18p. (E&S)
- Message of W. E. Lindsay, governor of New Mexico, to the third state legislature, May 1, 1917. Santa Fe, 1917. 6p. (E&S)



- 1919 Message of O. A. Larrazola, governor of New Mexico, to the fourth state legislature, Jan. 15, 1919. Santa Fe, 1919. 26p.
- 1921 Inaugural address of Hon. Merritt C. Mechem, fifth state governor of New Mexico. Santa Fe, 1921. (3)p.  
Also in a volume of Reports of the N. M. Special revenue commission.  
Message of Hon. Merritt C. Mechem, governor of New Mexico, to the fifth legislative assembly, Jan. 12, 1921. (Santa Fe, 1921) (3)p.  
Also in a volume of Reports of the N. M. Special revenue commission.
- 1923 Inaugural address of Hon. J. F. Hinkle, sixth state governor of New Mexico, delivered at Santa Fe, Jan. 1, 1923. Santa Fe (1923) (5)p.  
Message of Hon. J. F. Hinkle, governor of New Mexico, to the sixth legislative assembly, Jan. 10, 1923. Santa Fe, Santa Fe New Mexican pub. corporation (1923) 9p. (E&S)
- 1925 Message of Hon. A. T. Hannett, governor of New Mexico, to the seventh legislative assembly, Santa Fe, Jan. 13, 1925. Santa Fe, (1925) 8p.
- 1927 Message of Richard C. Dillon, governor of New Mexico, to the eighth state legislature, Jan. 11, 1927. (Santa Fe, 1927) (3)p.  
Special message no. 1 of Richard C. Dillon, governor of New Mexico, to the eighth state legislature, Feb. 23, 1927. (Santa Fe, 1927) 2p.
- 1929 Message of Richard C. Dillon, governor of New Mexico, to the ninth state legislature, Jan. 8, 1929. (Santa Fe, 1929) (6)p.
- 1931 Inaugural address and legislative message of Gov. Arthur Seligman of the state of New Mexico, Jan. 1931. (Santa Fe, 1931) 17p.
- 1933 Message of Gov. Arthur Seligman to the eleventh legislature of the state of New Mexico, Jan. 11, 1933. (Santa Fe, 1933) 13p.
- 1934 Message of Gov. A. W. Hockenull to the eleventh state legislature convened in special session at Santa Fe, April 9, 1934. (Santa Fe, 1934) (8)p.
- 1935 Inaugural address and legislative message of Gov. Clyde Tingley of the state of New Mexico, Jan., 1935. (Santa Fe, 1935) 18p.
- 1936 Governor's message to special session of the twelfth legislature. (Santa Fe, 1936) 4p. mimeo.
- 1937 Inaugural address and legislative message of Gov. Clyde Tingley of the state of New Mexico, Jan. 1937. (Santa Fe) 1937 (17)p.



Special message from Gov. Clyde Tingley to the thirteenth state legislature of New Mexico, 1937. (Santa Fe, 1937) (5)p.

- 1938 Message of Gov. Clyde Tingley to the thirteenth state legislature. . . convened in extraordinary session as delivered in joint session of the House of representatives and the Senate on Aug. 22, 1938. 6p. mimeo.
- 1939 Inaugural address and legislative message of Gov. John E. Miles of the state of New Mexico, Jan. 1939. (Santa Fe, 1939) (18)p.
- 1941 Inaugural address and legislative message of Gov. John E. Miles of the state of New Mexico, Jan. 1941. (Santa Fe, 1941) (13)p.
- 1943 Inaugural address and legislative message of Gov. John J. Dempsey of the state of New Mexico, Jan. 1943. (Santa Fe, 1943) (16)p.
- 1943 Text of the address of Gov. John J. Dempsey before a joint meeting of the House and Senate on Feb. 4, 1943. (Santa Fe, 1943) 7p.  
Governor urges passage of so-called tobacco tax.
- 1945 Inaugural address and legislative message of Gov. John J. Dempsey, state of New Mexico, Jan. 1945. (Santa Fe, 1945) (14)p.
- 1947 Inaugural address and legislative message of Gov. Thomas J. Mabry, Jan. 1947 (Santa Fe, 1947) (18)p.
- 1949 Inauguration of Hon. Thomas J. Mabry, nineteenth governor of the state of New Mexico, Jan. 1, 1949. (Santa Fe, 1949) (11)p.  
Second inaugural address and message to the 19th legislature, by the Hon. Thomas J. Mabry, governor of the state of New Mexico, Jan. 1949. (Santa Fe, 1949) (27)p.

*Governor. Message. Appendix.*

*33rd Legislative Assembly. Jan. 16, 1899 (E&S)*

Contents:—Report of the territorial auditor.—Report of the territorial treasurer.—Report of commission of irrigation and water rights.—Solicitor general.—Adjutant general.—Territorial librarian.—Territorial superintendent of public instruction.—Cattle sanitary board.—Exposition commissioners report.—Bureau of immigration.—Historical society of New Mexico.—Coal oil inspector.—Board of pharmacy.—Capitol rebuilding board.—Biennial report New Mexico penitentiary.—School for the deaf and blind.—New Mexico military institute.—University of New Mex-

ico.—Normal school at Las Vegas.—College of agriculture and mechanical arts.—New Mexico insane asylum.

*34th Legislative Assembly. Jan. 21, 1901 (E&S)*

Contents:—Report of the territorial treasurer from Dec. 3, 1898, to Dec. 1, 1900.—Report of the territorial auditor from Dec. 5, 1898, to Dec. 1, 1900.—Report of the territorial secretary from Dec. 31, 1898, to Dec. 31, 1900.—First annual report of the commissioner of public lands of New Mexico, Dec. 31, 1900.—Report of the commissioner of irrigation, Dec. 15, 1900.—Report of the solicitor general from Dec. 27, 1898, to Dec. 27, 1900.—Report of the superintendent of public instruction for the years 1899-1900.—Report of the territorial librarian, 1901.—Report of the Cattle sanitary board, for the year 1900.—Dec. 15, 1900.—Report of the Bureau of immigration, for 1899 and 1900.—Report of the Board of equalization.—Report of the penitentiary commissioners, for the 50th and 51st fiscal years.—Report of the trustees of the Deaf and dumb asylum, Dec. 3, 1900.—Third biennial report of the Board of regents of the New Mexico military institute, Dec. 31, 1900.—Report of the regents of the University of New Mexico, Dec. 1, 1900.—Report of the Board of regents of the New Mexico normal university, Dec. 31, 1900.—Report of the regents of the normal school of New Mexico, Dec. 13, 1900.—Report of the New Mexico college of agriculture and mechanic arts, Dec. 26, 1900.—Report of the directors of the insane asylum, Dec. 17, 1900.—Report of the New Mexico school of mines, Jan. 12, 1900.—Reports of charitable institutions: Annual report—St. Vincent hospital, fiftieth fiscal year ending Dec. 2, 1899. Annual report St. Vincent orphan school, Mar. 4, 1899 to Dec. 4, 1900.—Fifty-first fiscal year, St. Vincent orphanage, Eddy county hospital, 1900.—Judiciary reports.

*35th Legislative Assembly, Jan. 19, 1903. (E&S)*

Contents:—Report of the territorial treasurer, for the year ending Nov. 30, 1902.—Report of the territorial auditor, for the years 1901-1902.—Report of the solicitor general Dec. 27, 1900, to Dec. 27, 1902.—Report of the U. S. land commission, Dec. 15, 1902.—Third annual report of the commissioner of public lands of New Mexico, Dec. 31, 1902.—Report of the board of equalization, for the two years ending Nov. 30, 1902.—Report of the irrigation commission, for the year ending Nov. 30, 1902.—Biennial report of the Bureau of immigration, for the two years ending Nov. 30, 1902.—Report of the Board of penitentiary commissioners, for the 52nd and 53rd fiscal years.—Report of the Louisiana purchase

exposition managers, to Jan. 1, 1903.—Report of the adjutant general, for the year ending Dec. 31, 1902.—Report of the territorial librarian, for the year ending Nov. 30, 1902.—Report of the secretary of the territory, for the two years ending Dec. 31, 1902.—Report of territorial coal oil inspector, for the year ending Dec. 31, 1902.—Report of the cattle sanitary board, for the year ending Nov. 30, 1902.—Report of the Sheep sanitary board, from Dec. 15, 1901, to Dec. 1, 1902.—Report of the Board of health, from Dec. 1, 1901, to Dec. 30, 1902.—Report of the Board of pharmacy, for the year ending Nov. 30, 1902.—Report of the superintendent of public instruction, for the scholastic year ending Oct. 1, 1902.—Report of the University of New Mexico, for the year 1902.—Report of the New Mexico normal university, for the year ending Nov. 30, 1902.—Report of the regents of Normal school, for the year ending Nov. 30, 1902.—Report of the New Mexico military institute, for the year ending Nov. 30, 1902.—Report of the school of mines, from Nov. 30, 1901, to Nov. 30, 1902.—Thirteenth annual report of the New Mexico college of agriculture and mechanic arts, for the year ending Nov. 30, 1902.—Report of the Asylum for the deaf and dumb, from Dec. 1, 1900 to Nov. 30, 1902.—Report of the New Mexico insane asylum, from Dec. 1, 1901, to Nov. 30, 1902.—Report of Capitol custodian committee, Nov. 30, 1902.—Report of the Historical society.

### *36th Legislative Assembly. 1905. (E&S)*

Contents:—Report of the territorial treasurer, for the two years ending Nov. 30, 1904.—Report of the territorial auditor, for the years 1903-1904.—Report of the solicitor general, Dec. 27, 1902, to Dec. 27, 1904.—Report of the U. S. land commissioner, Nov. 30, 1904.—Fifth annual report of the Commissioner of public lands, for the year 1904.—Report of the Board of equalization, for the two years ending Nov. 30, 1904.—Report of the Irrigation commission, for the two years ending Nov. 30, 1904.—Biennial report of the Bureau of immigration, for the two years ending Nov. 30, 1904.—Report of the Board of penitentiary commissioners, for the two years ending Nov. 30, 1904.—Report of the Louisiana purchase exposition managers, to Dec. 31, 1904.—Report of the adjutant general, for the two years ending Dec. 31, 1904.—Report of the territorial librarian, for the two years ending Dec. 31, 1904.—Report of the secretary of the territory, for the two years ending Dec. 31, 1904.—Report of the traveling auditor, for the two years ending Nov. 30, 1904.—Report of the Cattle sanitary board, from July 1, 1904-Nov. 30, 1904.—Report of the Sheep sanitary board, for the two years ending Nov. 30, 1904.—

Report of the New Mexico boards of health, for the two years ending Dec. 5, 1904.—Report of the Board of pharmacy, Nov. 30, 1904.—Report of the superintendent of public instruction, for the scholastic year ending Oct. 1, 1904.—Report of the University of New Mexico, for the two years ending Nov. 30, 1904.—Report of the New Mexico normal university, for the two years ending Nov. 30, 1904.—Report of the regents of normal school, for 1903-1904.—Report of the New Mexico college of agriculture and mechanic arts, Dec. 1, 1904.—Report of the Asylum for the deaf and dumb, for the two years ending Nov. 30, 1904.—Report of the Capitol custodian committee, for the two years ending Nov. 30, 1904.—Biennial report of the historical society of New Mexico, Dec. 1, 1904.—Report of the Department of game and fish, for the two years ending Dec. 1, 1904.—Report of the Board of dental examiners, for 1903-1904.—Report of the Institute for the blind, for the two years ending Nov. 30, 1904.—Report of the Miners' hospital, for the two years ending Nov. 30, 1904.—Report of the Reform school, Dec. 1, 6, 1904.—Report of the Orphan school, for the two years ending Dec. 1, 1904.—Report of the Albuquerque armory board of control, Dec. 1, 1904.—Report of the Las Vegas armory board of control, Dec. 1, 1904.—Report of St. Vincent's hospital and orphanage, for the two years ending Nov. 30, 1904.—Report of the Grant county charity hospital, for the two years ending Dec. 1, 1904.—Report of the St. Joseph's hospital, for the two years ending Dec. 1, 1904.—Report of the Ladies hospital, for the two years ending Dec. 1, 1904.—Report of the Ladies relief society, for the two years ending Dec. 1, 1904.—Report of the St. Joseph sanitarium, for the two years ending Dec. 1, 1904.—Report of the Gallup hospital, for the two years ending Dec. 1, 1904.—Memorial of the Educational association of New Mexico.

*37th Legislative Assembly. Jan. 21, 1907. (E&S)*

Contents:—Report of the treasurer of the territory, for the two years ending Nov. 30, 1906.—Report of the auditor of the territory, for the two years ending Nov. 30, 1906.—Report of the traveling auditor, for the fiscal year ending Nov. 30, 1906.—Biennial report of the attorney general, 1905-1906.—Report of the Board of penitentiary commissioners to the governor, for the 56th and 57th fiscal years, commencing Dec. 1, 1904, and ending Nov. 30, 1906, including the Report of the superintendent, Arthur Trelford.—16th Annual report of the superintendent of public instruction to the governor, Dec., 1906.—Sixth annual report of the commissioner of public lands, Dec. 31, 1905.—Seventh annual report of the commissioner of public lands, Dec. 1, 1906.—Report of the secretary of the territory for the two years ending Dec. 31, 1906.



—Report of the adjutant general, for the two years ending Dec. 31, 1906.—Report of the fish and game warden, for the two years ending Dec. 18, 1907.—Report of the coal oil inspector, for the year ending Dec. 31, 1906.—Report of the superintendent of insurance, for the year ending Dec. 31, 1906.—Report of the irrigation engineer, for the two years ending Jan. 1, 1907.—Report of the public printer, from Mar. 1, 1905, to Dec. 1, 1906.—Report of the mounted police, from Apr. 1, 1905, to Dec. 31, 1906.—Report of the artesian well supervisor, Dec. 31, 1906.—Report of the territorial librarian, for the two years ending Dec. 31, 1906.—Report of the Sheep sanitary board, for the fiscal year ending Nov. 30, 1906.—Report of the Cattle sanitary board, for the two years ending Nov. 30, 1906.—Report of the New Mexico board of health, for the two years ending Jan. 1, 1907.—Report of the Board of dental examiners, for the two years ending Jan. 1, 1907.—Report of the Board of pharmacy, from July 11, 1904, to Jan. 14, 1907, inclusive.—Biennial report of the Bureau of immigration of the territory, for the two years ending Nov. 30, 1906.—Report of the Capitol custodian committee, for the fiscal year ending Nov. 30, 1906.—Report of the Board of control, for the two years ending Dec. 31, 1906.—Report of the University of New Mexico, for the two years ending Nov. 30, 1906.—Report of the New Mexico college of agriculture and mechanic arts, for the two years ending Nov. 30, 1906.—Report of the Normal university, for the two years ending Nov. 30, 1906.—Report of the Normal school, for the fiscal year ending Nov. 30, 1906.—Report of the Military institute for the fiscal year ending Nov. 30, 1906.—Report of the School of mines, for the fiscal year ending Nov. 30, 1906.—Report of the Insane asylum, for the fiscal year ending Nov. 30, 1906.—Report of the Deaf and dumb asylum, for the fiscal year ending Nov. 30, 1906.—Report of the Institute for the blind, for the fiscal year ending Nov. 30, 1906.—Report of the Orphan children's home, for the two years ending Nov. 30, 1906.—Report of the Board of osteopathy, for the fiscal year ending Nov. 30, 1906.—Report of the St. Vincent's hospital and orphanage, for the two years ending Nov. 30, 1906.—Report of the Grant county hospital, from Jan. 1, 1905, to Jan. 1, 1906.—Report of the St. Joseph's hospital, for the two years ending Nov. 5, 1906.—Report of the Ladies hospital, for the two years ending Nov. 30, 1906.—Report of the Eddy county hospital, for the two years ending Nov. 30, 1906.—Report of the Ladies' society, for the two years ending Nov. 30, 1906.—Report of the St. Joseph's hospital, for the two years ending Nov. 30, 1906.—Report of the Gallup hospital, for the fiscal year ending Nov. 30, 1906.—Biennial report of the Board of optometry, for the fiscal year ending Nov. 30, 1906.

*(To be continued)*



## *Notes and Documents*

GALLUP Jan. 26 (AP)—J. Wesley Huff, managing editor of the Gallup Independent and former Associated Press writer, died yesterday at the age of 40.

He had been in ill health since he came to New Mexico from New York in 1939, but his death came suddenly in St. Mary's Hospital shortly after he had been placed in an oxygen tent.

Huff was the first New Mexico newspaperman to receive the coveted Shaffer award for reporting in 1944. He won the honor for a story reporting a courtroom shooting at the murder trial of Pete Talamante in Gallup.

He was editor of the Hobbs News-Sun before moving to Gallup seven years ago. He had studied at Colgate University and the Pulitzer College of Journalism at Columbia University. In 1935 he joined the Associated Press in Philadelphia. He worked for the Associated Press in Albuquerque and Santa Fe after coming west for his health.

He is survived by his widow and daughter, Betsy, and his mother, Mrs. J. W. Huff, Sr., of Elmira, N. Y.

\*At the close of the Civil War, the Federal Government turned its attention to the solution of problems which had been under consideration before the war but which had of necessity received scant notice during the great sectional conflict. One of the most puzzling and pressing of these matters was the question of how best to establish a satisfactory policy toward the Indians west of the Mississippi where exploring and settling whites had disturbed their old ways of life.

To this end, on March 3, 1865, a joint congressional committee was selected to make a personal inspection with the aim of discovering the true condition of the tribes. James Rood Doolittle, Senator from Wisconsin, Chairman of the Senate Committee on Indian Affairs, was chosen to head the commission.

The following letter is an unofficial account of the trip by Doolittle and his party. It was written sixteen years later by Doolittle to Foster's widow at her request. The original

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\* This letter was prepared for publication by Clariissa P. Fuller who received the doctorate at the University of New Mexico in June, 1950.

letter is in the collection of Doolittle papers in the archives of the Wisconsin Historical Society at Madison. A photostatic copy of the letter is in the possession of the Library of the University of New Mexico.

James Rood Doolittle had a long and vigorous career as judge, statesman, and educator throughout the greater part of the 19th century (1815-1897). Born and reared in a Democratic family, he was charmed into the newly formed Republican party in 1856 by its expression of principles which he found to his liking. He was elected Republican senator from Wisconsin in 1857. A close friend of Lincoln, Doolittle later became a strong advocate of Johnsonian policies which he championed in a very outspoken manner, believing that Johnson followed what would have been the Lincoln path. Doolittle's course at this time amounted to committing political suicide in the Republican party. His career in Washington, therefore, terminated when the Radical elements of the Republican party gained control.<sup>1</sup>

Residence Racine,  
Wisconsin

Chicago, March 7th, 1881

Mrs. L. F. S. Foster,  
Dear Madam,

I most cheerfully respond to your request to give you, from personal recollection, some account of a trip to New Mexico, and Colorado in the summer of 1865, made before any railway had crossed the Missouri River, by your late lamented husband, the Hon. Ross of Illinois, and myself, as members of a Joint Special Committee of the two Houses of Congress, under the Joint Resolution of March 3, 1865—directing an inquiry into the Condition of the Indian Tribes and their treatment by the Civil and Military authorities of the United States.

In doing so, however, I shall not undertake to give a history of the labors of the Committee in taking testimony for the information of Congress,—which will all be found in our report to the Senate, of January 26, 1867,<sup>2</sup> and in the Appendix, making a limited volume of more than 500 pages, but shall confine myself mainly to the personal incidents of our journey which I doubt not you would be better pleased to know.

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1. The story of the later career of Doolittle can be found in the *Dictionary of American Biography*.

2. *Condition of the Indian Tribes*. Senate Report 156, 39th Congress, 2nd session, Washington, Government Printing Office, 1867.

You recollect that Mr. Lincoln's assassination, in April, 1865, after our committee was raised, had made Mr. Foster *de facto* Vice President,<sup>3</sup> and, therefore, although I, as chairman of the Senate Committee on Indian Affairs, had been selected as chairman of the joint commission to do the work, we all resolved to bring him to the front, in all our interviews with the Indians, not as the great father himself, but as the one who stood nearest in that relation to the dependent Indian Tribes.

To our subdivision<sup>4</sup> of the [illegible] committee was assigned the duty of inquiring into Indian Affairs in the state of Kansas, the Indian Territory, Colorado, New Mexico and Utah.

Being in a state of War with the Cheyenne and Arrappahoes on the plains of Kansas and Eastern Colorado, and with the Apaches and Navajoes, in New Mexico, a small military escort under Genl McCook was assigned by the War Department to attend the Committee, and assist them in the discharge of their duties.

It was, as I have already said before any railways were constructed west of the Missouri river and the place of rendezvous and of departure was fixed at Fort Leavenworth, Kansas. Genl McCook who was familiar with the route had all things in readiness including tents, camp equipage and horses for the Committee to ride. The members of the Committee were permitted to select horses for themselves from a large number. Mr. Foster selected a beautiful light chestnut; Mr. Ross a large fine, bay stallion; I preferred a dark brown—almost black, with strong compact body, short limbs, bright courageous eye and small clean cut ear. In this selection, I was very fortunate as my horse was the only one of all selected by our party which was able to endure the whole journey to New Mexico and back again to Fort Leavenworth.

Sometime in June, the exact date I do not now remember, we set out upon our journey, at the rate of about 25 miles per day. The weather was delightful; the air from the mountains over the plains of Kansas pure and invigorating. We struck our tents very early in the morning and made but one march without halting. We made about 25 miles, and then pitched our tents for the night, generally about 3 or 4 P. M. near some watering place. No one could possibly enjoy the horseback rides from about 6 to 11 o'clock in the morning before the

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3. In 1864, at the time of President Lincoln's assassination, Foster was President *pro tempore* of the Senate. When Johnson became President of the United States, the office of Vice President was vacant. Under the law of 1792, it was provided that the President *pro tempore*, if there was such, should succeed to the office of President of the United States if the offices of both President and Vice President were vacant. In the Doolittle letter, Foster is constantly referred to as the Vice President. Dr. Wesley Gewehr, University of Maryland, suggests that the only justification for referring to Mr. Foster as the Vice President lay in the possibility that he might become President.

For a detailed account of Foster, see the *Dictionary of American Biography*.

4. Senators Doolittle, Foster, and Representative Ross of Illinois.

sun became very hot and oppressive more than did Mr. Foster. His horse had a very lively and spirited gate, and he was always at the front, full of humor, enjoying and making others enjoy every moment.

We had been about two weeks on our journey before anything of special interest occurred. All at once, about 10 o'clock in the morning an immense herd of Buffaloes appeared in sight about half a mile in front of us. All being mounted, instantly armed themselves with carbines and Navy Revolvers and pushed forward at all possible speed:—not to throw themselves across the route of the advancing herd, for they would have been overwhelmed horses and riders,—had they done so, but to strike them in their rear, and upon their flank.

Into this wild and dangerous sport Mr. Foster entered with all enthusiasm. A large Buffalo Bull was singled out. He was fired upon and wounded severely. But he turned upon his pursuers whose horses were greatly frightened and turned back towards our train of teams and soldiers for safety,—the old bull slowly pursuing. As he appeared upon the crest of rising ground the foremost span of mules caught sight of the gigantic beast. Like a streak of lightening, they whirled around and ran at the top of their speed, down the sloping prairie for nearly half a mile,—upsetting the wagon, and scattering everything upon the ground. Then followed such a panic among mules and such cursing and swearing among mule-drivers as none can imagine who never was present on such an occasion. A fortunate shot from a Remington carbine, at last, brought down the huge and infuriated beast, and peace and tranquility reigned once more through the whole camp.

My son, Col. A. O. Doolittle,<sup>5</sup> who with another young man, had followed the herd still further, wounded another of the largest size. He turned suddenly and rushed at the horse of his companion. The horse frightened at his appearance, sprang from under him—throwing him upon the ground. The enraged animal plunged forward towards him while prostrate upon the ground. At the instant, just in time to save him, my son, from a Remington carbine fired a shot into the beast just behind his shoulder. The ball pierced his heart and he dropped dead, within a few feet of the young man. He dropped with such force as to plunge his nose into the ground. It was with the greatest possible difficulty that both of them, with all their strength, could move his head, so as to secure the tongue of the animal, which is regarded as one of the greatest delicacies by the victorious hunter upon the plains.

During all this excitement of the chase and of the panic among the mules of our train Mr. Foster enjoyed himself immensely. His wit and humor and merry glee were flowing in a continual stream.

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5. Anson O. Doolittle who served in the Wisconsin infantry during the Civil War. He attained the rank of Brevet Colonel and resigned from the service September 7, 1864.



For more than two weeks we were marching over the plains of Kansas encamping generally on the banks of the Arkansas before we sighted Fort Lyon in the neighborhood of the Sand Creek Massacre:—of which much testimony was taken by our committee as appears in the appendix to our report above referred to.

Arriving at Fort Lyons, we determined not only to take the testimony of our officers but to go with them over the battle ground. It hardly deserves the name of a battle for it was little less than a treacherous surprise, in their tents, of women and children who supposed they were under the protection of our own troops. It was in fact a wholesale massacre of women and children. We ourselves picked up the skulls of infants whose milk teeth had not been shed:—perforated with pistol or rifle shots, and the sworn accounts given of the scalping and mutilating of women and children, by white men under Col. Chivington show that while it may be hard to make an Indian into a civilized white man, it is not so difficult a thing to make white men into Indian savages.

Traveling by rail now at 30 miles an hour over the plains of Kansas in palace cars, is a very different thing from traveling then on horseback or in wagons drawn by mules, only 25 miles in twenty four hours; and one can well understand how monotonous the plains of Kansas and Colorado became to us long before we reached Fort Bent, the point where we crossed the Arkansas river, on our way to New Mexico, and the real joy we felt in crossing. When at length we reached the line of New Mexico many a shout and cheer went up with an occasional apostrophe,—now in prose and now in rhyme—now to the enormous territories we had just traveled through and now to the greater one we were just entering.

In passing southwesterly into New Mexico we crossed the Raton range of the Rocky Mountains, over into the valley of the Cimmaron River. Here we encamped and stayed over Sunday at the famous Maxwell's Ranch. People generally have no idea of the enormous amount of territory—embracing mountains and valleys—mines and wheatfields contained in this Ranch. It was an old Spanish grant bounded by mountain ranges; embracing probably a territory nearly as large as the whole of Rhode Island.

Grain is raised there only by irrigation; and the Cimmaron river was used for that purpose by Maxwell; who had under him more than 250 New Mexicans, raising grain and attending upon his flocks of sheep, and herds of cattle and horses.

Here we had the pleasure of seeing for the first time the use of the "Lasso" in capturing a wild horse in a herd of more than five hundred. The lasso was thrown by Maxwell, himself, who, although an American had become as expert in its use as a Mexican.

In the form of a "slipper noose" the lasso is thrown over the head and around the throat and drawn so tightly and held so firmly that



the poor beast is actually choked until he falls to the ground. Then he is blindfolded and held down until a rope bridle is placed in his mouth and then he is allowed to rise. But the choking and falling and blindfolding in a very few minutes does much to stem if not subdue the animal. While still blindfolded a saddle is fastened upon him and a young Mexican is mounted. With a strong rope around the body of the animal and over the knees of his rider (but in such a way that in case of danger he can unloose his limbs at pleasure), the rider was fastened as securely upon his back as the saddle itself. When fairly seated and fastened the blindfold is taken off, and then the wild horse realizes his situation. Such pitching and rearing, such jumping and plunging to unhorse his rider you can hardly conceive.

In this particular case after vainly trying to throw his rider for five or ten minutes, the horse suddenly plunged into the Cimarron River where the water was full breast high.

But the rider would not dismount. There sat the cool, intrepid, inevitable Mexican. After cooling his sides in the stream for it maybe five minutes the horse suddenly came out of the river and started upon a full run down a road upon its banks for a mile and a half. The Mexican instead of checking him, pushed him at the top of his speed by the free use of a whip until the horse, panting and almost exhausted, was glad enough to relax his gait, and came down to a walk. In less than an hour this wild horse was completely tamed; and he came back quiet as a kitten. Anyone could lead him anywhere and the young girls who had witnessed the performance of the Mexican Rory upon this wild young horse came out with blankets and umbrellas and shook them at him but they had no more effect in frightening him than if he had been an old dray horse. You can well imagine how much Mr. Foster enjoyed a scene like that, so novel and interesting to us all.

From Maxwell's Ranch we passed down Southwest to Fort Union where we stayed over for a day or two. Upon resuming our march, passing down on the right side of a valley through which one of the small branches of the Canadian river flows, we had not proceeded many miles when suddenly we came to a halt; and the important announcement was made by Gen'l McCook that a whole band of the Mescalero Apaches had just been captured by a company of our soldiers, and was then *en route* to Fort Union.

Here was, upon the face of things, an important event, and one which our committee could not overlook. Gen'l McCook who besides being a good soldier was a very good actor, and spoke the Spanish language, determined to introduce the chiefs and warriors of the captive tribe who understood a little Spanish, to the Committee, and especially to the Vice President of the United States, in becoming style. So everything was put in the very best order to produce the most profound impression upon the savages. A messenger was sent forward with orders to the officer in command of our victorious troops

to bring the captives across the valley to the place where we were halted to receive them.

The warriors, about 40 in number, were on foot. The women with their children, blankets and other worldly goods, were mounted upon ponies. They approached. The tall chief, dressed in deer skin with all his paint and feathers on, came up in grand style; and with a certain dignity and grace. He, of course, was the first to be introduced to that high officer who stood second only to the great father, himself, in the estimation of all the Indian tribes.

Gen'l McCook in his high style, and best Spanish made a little speech and then introduced the head chief of the Mescaleros to the Vice President. Imagine our astonishment when instead of taking Mr. Foster's right hand as he extended it to him, the tall chief walked directly up to him, in front, and true Spanish style threw his long arms around and embraced him;—warmly, strongly embraced him, I might say literally "hugged" him, ejaculating in Spanish "Bueno! Bueno!" [pronounced wāno]. Then followed the lesser chiefs and warriors one by one, until each had given him the same earnest embrace.

As the last one left him, Mr. Foster breathed deeper, and freer, thinking the thing at last was over; but in this he was sadly mistaken for the real agony was yet to come. Soon as the men had finished, the women began to dismount and one after the other in the same style and with the same words of welcome gave him the same earnest embraces. As they were not as tall as the men, their painted faces came against the breast and collar of his coat, which, like Joseph's became a coat of many colors, long before the grand ceremony was over.

When with becoming fortitude and patience he had borne all this grand introduction to an Indian tribe, he quietly suggested that perhaps the other members of the Committee would like to go through the same ceremony;—which they as quietly declined suggesting that one such ceremony was all sufficient to establish friendly relations with the captives.

That day we marched on to Las Vegas. Even then it was known, but far more widely now, for its delicious warm baths, baths which beyond any other I have seen soften and purify the skin.

If ever a human being took delight in stripping off his clothing and getting into a delicious warm bath it was Mr. Foster after that day's entertainment and investigation of Indian Affairs.

From Las Vegas we pursued our way southward towards the Bosque Redondo situated on the Pecos river—being a reservation of 40 miles square, upon which our troops had placed about 7000 Navajoes prisoners, captured the year before by Col. Kit Carson.<sup>6</sup>

On our way at one of our encampments we captured a large

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6. See Frank D. Reeve, "Federal Indian Policy in New Mexico, 1858-1880," *NEW MEXICO HISTORICAL REVIEW*, vol. 12, p. 218 and vol. 13.

Tarantula. In form it was like a huge black spider. His body was as large as a good sized butter plate while his legs and tentacles were at least a full inch in length. To make sure of him we placed him in a large tin cup, and placed a plate over it. But the sight of that dreadful creature, whose bite is almost certain death, and the consciousness that he was *still alive* and *in our tent* made all sleep impossible for Mr. Foster, and we struck a light and despatched the monster as a fitting sacrifice to the God of Sleep.

On our way to the Bosque we encamped another night near some Alkaline Lakes. The water was so clear and beautiful that Mr. Foster and myself were tempted to bathe. They were very strong in alkaline properties. The effect upon me was considerable. Upon Mr. Foster the effect was still more severe. In fact it brought on a fever, lasting him nearly a week; and keeping him confined to his bed most of the time we spent at the Bosque.

Most fortunately, however, we there found Capt. Cary, an old friend of Mr. Foster and with his nursing and the best of medical attendance, he was soon on his feet as well as before; and yet this short sickness made him all the more anxious to return home, and was in fact one of the reasons which cut short our trip to Utah.

After closing our labors at the Bosque Redondo, having taken a large amount of testimony there we proceeded northwesterly by the usual marches to the old City of Santa Fe. There for the first time in our lives, we witnessed a Mexican Fandango where men and women of all shades and colors meet and mingle and dance together upon a footing of perfect social equality.

Having taken considerable testimony there, as to the causes which led to the wars with the Navajoes, we passed northward up the Rio Grande into the Park and thence, by Fort Garland and the Huerfano pass over the Rocky Mountains whose highest peaks were covered with eternal snows into the valley of the Arkansas. We passed over the mountains on horseback. The scenery was grand and imposing;—beyond anything I saw in Switzerland. Of course, all this was a source of intense enjoyment to Mr. Foster:—awakening in him the deepest enthusiasm. Exhilarated by the sight, a touch of high poetic sentiment would occasionally find *impromptu* expression, or, bring out most apt quotations. I wish for your sake I could give you his words. But sixteen years have come and gone since we were riding there together; and while his words have faded from memory their sweetness and fragrance cling to it still.

I must not forget to mention on our way to Fort Garland we made a visit to the famous Kit Carson. Knowing him as a bear-hunter and Indian fighter you can hardly imagine the impression which this most modest and unassuming man with a voice almost feminine in accent and expression made upon us. We staid over night in his hospitable home near Taos. In the evening Mr. Foster drew him out and he told

in modest style a few of the most remarkable incidents of his wonderful life, none more interesting than his account of his escape from the clutches and jaws of a great grizzly bear.

He had wounded him. The bear was so near to him that he could not reload his rifle. He was compelled to drop it and to climb a tree to escape from the infuriated beast. His description of the manner in which the bear undertook to tear down the tree;—the gnashing of his teeth; his terrible growls at him as he remained for long hours in the tree above his reach; the deep agony, almost in which he waited for the beast to leave him, and the joy he felt when at last he did leave him was intensely interesting; and it passed far into the small hours of the morning before we retired to bed.

On our way we passed in sight of Pikes Peak. We entered the place which Col. Fremont named the Garden of the Gods. There we drank of the mineral waters and what was more practical still our cook took with him a canteen filled from the Soda Spring with which, the next morning he made us some most excellent soda biscuits.

We soon reached Denver, the Capital of Colorado. There a grand reception was tendered to us by Governor Evans and the citizens of Colorado. It was given at the Opera House. Mr. Foster was called upon for a speech, Mr. Ross also. In their happiest vein they responded and spoke of the pleasures of our trip, leaving to me as chairman of the committee, to speak on the troublesome Indian question. In thus leaving me to bear that burden alone, I always more than half suspected Mr. Foster remembered the occasion when I left him to bear alone the whole shock of the introduction to the tribe of Apaches, and that he got more than even with me for his was a reception of captive Indians;—mine was a reception by white men in a time of fierce excitement. In that very Opera House, Col. Chivington, a few months before, having returned from the Sand Creek Massacre, had publicly exhibited to excited thousands the scalps they had taken as the trophies of victory.

It was no easy task for me to present the true Indian policy of the government in that place, and to hundreds of the same men who celebrated with Col. Chivington his victory and triumphs. Indeed it threatened to prove a very stormy time. Of course I shall not attempt to give you an account of the speech made by me. But representing as we did the United States we could not quail before the excited people of Denver and shrink from speaking the truth on that occasion. One incident I will relate which served as the basis or text for the greater part of that speech.

When I had referred in a cool and matter of fact way to the occasion of conflict between the whites and Indians, growing out of the decrease of the Buffalo and the increase of the herds of cattle upon the plains of Kansas and Colorado and said: the question had arisen whether we should place the Indians upon reservations and teach them to raise cattle and corn and to support themselves or whether we



should exterminate them, there suddenly arose such a shout as is never heard unless upon some battle field;—a shout almost loud enough to raise the roof of the Opera House.—“Exterminate them! Exterminate them!”

That was the occasion;—the text, I may say of the main part of my speech, at Denver:—a speech which Mr. Foster and Mr. Ross said was as good as any they had ever heard from me in the Senate. One thing is certain I was fully aroused. My only regret is: Murphy was not there to take it down just as it was uttered. It was a full and frank discussion of the Indian Problem and in the face of an audience where hundreds and thousands perhaps were not well inclined to do justice to the Indians.

While in Colorado we were invited to go in a buggy to Georgetown and Central City to examine the deepest gold mine then worked in that territory. We had a delightful ride up among the mountains. We then descended into the Black Hawk Mine to the depth of about 350 feet. We descended by ladders. But we ascended in the great bucket in which the ores were lifted to the surface. That was the deepest point in the bowels of the earth into which we had now descended, and in coming out again to the upper air Mr. Foster quietly remarked he was fully satisfied with his visit below and did not care to go down into another.

While absent from Denver, on this visit to Central City about four days, a remarkable incident occurred near Denver. Upon a sandy Island in the Platte river an enterprising farmer was raising a most bountiful crop. He could do that upon that Island without irrigation:—sufficient moisture from the river passing through the land. The value of his growing crop was estimated at \$10,000. It was in beautiful and luxuriant condition when we started on our trip to Central City. When we returned it was wholly destroyed. A cloud of grasshoppers or locusts had come down upon his Island farm and in two days devoured every green thing. Though the sun shone through the clearest of skies, yet when we looked up into the deep deep blue vault between us and the sun we could see myriads of these insects as high as the eye could reach flying over the mountains like far off clouds in the sky.

From Denver after renouncing our trip to Utah where the Indians were all at peace with us, we resolved to return by stage over the plains—a trip of five days and nights to reach the Hannibal & St. Joe railway on the Missouri river. Accordingly we chartered a coach for four of us,—Mr. Foster, Mr. Ross and myself and my son who acted as clerk for our committee.

We arranged the coach for sleeping at night by placing boards lengthwise across the three seats inside; and by placing a straw mattress upon them, so that three could sleep inside while the fourth had a straw mattress placed on top of the coach and with a broad

leather strap the sleeper of the upper deck was securely lashed on top of the mattress.

As myself and son were the two youngest of the party and of the toughest build we alternately slept on deck:—he sleeping there three nights and I sleeping there only two on our journey. The weather was fine. The sky was clear and the sleeping on top of the coach, lashed down to the bed, was not such a great trial after all.

We got on very nicely. The only incident of special interest was that one morning upon our way we halted at a ranch for breakfast and there we found the body of a young man just killed with an Indian arrow piercing him to the heart,—the body was still warm. This incident let me assure you gave us all some twinges of apprehension as to what "might have been." But we continued on our journey in safety till we reached the great engine of modern civilization the railway at St. Jo. That brought us back again to our home life.

I have thus as rapidly as possible and as briefly as I could given you the main personal incidents of our trip to the Territories.

With sincere regards, I remain, as ever,

Yours,

J. R. Doolittle.

The following documents were preserved by Juan Geronimo Torres, once a resident of Sabinal, New Mexico, and are now in the possession of Edward E. Torres, principal of the junior high school at Socorro. Mr. Torres has presented photostatic copies to Rodgers Library at New Mexico Highlands University.

My translation has benefitted from assistance received by comparison with a translation prepared by Mr. Torres as part of his graduate studies and by consultation with Dr. Luis E. Aviles, Head of the Department of Modern Foreign Languages at New Mexico Highlands University. However, I assume the responsibility for this translation.\*

The documents have been organized in three series. The first may be entitled *The Personal Interests of Juan Geronimo Torres*; the second group presents *Some Laws and Legal Proceedings of the Mexican Period*; and the third series deals with *The Building of a Church at Sabinal, 1821 to 1831*.

The first series follows.

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\* Dr. Lynn I. Perrigo, Head Department of History and Social Sciences, New Mexico Highlands University.

## THE PERSONAL INTERESTS OF JUAN GERONIMO TORRES

*Review of Militia*

Mayoralty of Belen

November 4, 1819

List and true copy of the review overseen by me, Captain Commander Don Antonio Chaves, of the officers and other members of which this squadron is composed on the day carried out.

<i>Classifications</i>	<i>Names</i>		Guns	Cartridges	Lances	Bows	Arrows
<i>3rd Co. of the 2nd Squadron</i>							
Lieutenant	Don Juan Geronimo Torres	p	1	15	1		
Second Lt.	Don Juan Jesus Chaves	p	1	15	1		
Sergeants	Francisco Chaves	p	1	15	1		
	Rafael Baca	p	1	15	1		
Corporals	Jose Antonio Pino	p	1	15	1		
	Manuel Pino	p	1	15	1		
Carbineers	Antonio Jose Torres	p	1	15	1		
	Bison Sais	p	1	15	0		
Soldiers	Vicente Xaraurio	p	0	0	1	1	25
	Francisco Padia	p	1	15	0		
	Antonio Barela	p	1	15	0		
	Pablo Torres	p	0	0	1	1	25
	Juan Miguel Santillanes	p	0	0	1	1	25
	Juan Trujillo	p	1	15	0		
	Antonio Gorge	p	1	15	0		
	Jose Antonio Garcia	p	1	15	0		
	Estevan Santillanes	p	1	15	0		
	Francisco Serna	p	0	0	1	1	25
	Juan Jose Martin Baca	p	1	15	0		
	Jose Manuel Garcia	p	0	0	1	1	25
	Antonio Gurule	p	1	15	1		
	Juan Antonio Trujillo	p	1	15	1		
	Don Juan Francisco Baca	p	1	15	1		
	Juan Silba	p	0	0	0	1	25
	Vicente Silba	p	1	15	1		

Dionisio Silba	p	1	15	1	
Hermenegildo Montolla	p	1	15	1	
Lorenzo Padia	p	1	15	1	
Diego Antonio Abeita	p	1	15	1	
Juaquin [ <i>sic</i> ] Padia, 2nd	p	1	15	1	
Ramon Montoya	p	1	15	1	
Pablo Gallego	p	0	0	1	1 25
Antonio Jose Chaves	p	1	15	1	
Bartolome Romero	p	1	15	1	
Juan Jose Ribas	p	1	15	0	
Juan Montolla	p	1	15		
Juan Ribas	p	1	15	1	
Miguel Perca	p	1	15	1	
Rafel [ <i>sic</i> ] Ribera	p	1	15	1	
Jose Antonio Gutierrez	p	1	15	1	
Antonio Montolla	p	1	15	1	
Antonio Carrillo	p	1	15	1	
Manuel Xaramillo	p	1	15	1	
Jose Gamboa	p	1	15	1	
Felipe Padia	p	1	15	1	
Antonio Jofola	p	1	15	1	
Antonio Jose Maldonado	p	1	15	1	
Carlos Romero	p	1	15	1	
Marcos Baca	p	1	15	1	
Lorenzo Salas	p	1	15	1	

*Summary*

Lieutenant .....	1
2nd Lieutenant .....	1
Sergeants .....	2
Corporals .....	2
Carbineers .....	2
Soldiers .....	42
<hr/>	
Total .....	50

Antonio Chaves

*Appointment of Mayor's Deputy at Sabinal, 1819*

Don Miguel Aragon, Alcalde Mayor of the jurisdiction of Belem, its districts and frontiers, in behalf of Sir Don Pedro Maria de Allende y Saabedra, Graduate Lieutenant of Cavalry and Captain of the Royal Garrison of San Carlos of the Province of New Viscaya, and Governor and neighbor of New Mexico—

Since I have had the resignation of Don Lorenzo Salas from the office of political deputy of the village of Sabinal and consider desir-



able, for the good administration of justice, to name a person of merit and conduct, equally combined with circumstances of valor, disinterest and zeal, and these coinciding in the person of Don Juan Geronimo Torres, therefore I elect and appoint him in the name of His Majesty (Whom God May Protect) for such deputy of the Alcalde Mayor of the said village and its districts and confer on him the same powers which are bestowed upon me, in order that he may deal with the cases and matters which may arise, civil and criminal, prosecuting them until passing judgment, and next that he may give me an account in order for me to determine what may be wise by a similar order for all of the existing and resident citizens of the district; that those arriving and leaving may hear and respect said deputy of the Alcalde Mayor, and may they obey and keep his oral and written orders under penalty of which the rebellious and disobedient may be severely punished accordingly. This power I give to the appointed Don Juan Geronimo Torres in order that he may raise the emblem of justice, and I order him to exercise great zeal that those of his district may be instructed in the rudiments of Our Holy Catholic Faith, guarding carefully likewise the greatest glory of God and punishing severely the public and scandalous sinners, and I order the Deputy to give painstaking care that he demand a survey of his respective region where enemies might invade should the circumstances allow it, and that immediately upon receipt of his title he shall notify the aforesaid resigned Deputy of this district in order to place him in the position of his new appointment with good public notice through all parts of the neighborhood by the town crier so that none may be in ignorance. Likewise I order the retired Deputy to cooperate with his influence and good example in behalf of good administration for the citizens in order that the titled Deputy of this commission may have no great prejudice arise against him.

Done in this village of Valencia on the Twenty-fourth day of February of eighteen hundred nineteen, I certify

Miguel Aragon

### *Sale of Merchandise*

Don Juan Geronimo Torres offers for sale on the account of Don Pedro Armendaris the following goods:

	A S. O	Pesos	Reals
10 pieces of wool, at 10 reals a yard	@ 27½ p	275.	0
32 fine printed cottons, 2 and ¾ yards each	@ 4 p.	128.	0
24 Native mufflers	@ 4 p.	96.	0
1 piece fine lace edging, 12 yds.	-----	60.	0
2 same, nankeen at 1 peso per yd.	11 p.	22.	0
1 same, white cotton, 20 yds.	-----	32.	4
49 yards flannel	@ 4 p.	196.	0

5 reams paper, 25 pieces for 9 reals	@20 p. 2 r.	101.	2
10 dozen hunting knives at 5 reals each	@ 7½ p. doz.	75.	0
1000 needles at 70 per half	-----	6.	2
60 playing cards	@ 4 r.	30.	0
408 yards ribbon, water marked	@ 2½ r.yd.	127.	4
4 muslin gowns, embroidered	@20 p.	80.	0
150 yards English chintz	@ 12 r. yd.	225.	0
150 same, from Barcelona	@ 19 r. yd.	281.	2
12 madras handkerchiefs	@ 12 r.	18.	0
12 scissors	@ 4 r.	6.	0
40 yards muslin, embroidered	@ 20 r yd.	100.	0
50 veils, black ornaments	@ 1 p.	50.	0
60 Chinese combs	@ 2 r.	15.	0
1 piece wide ribbon of 33 yards	@ 1 p.	33.	0
2 same, narrow of 33 yards	@ 6 r. yd.	49.	4
Total		1967.	2
Santa Fe, December 18, 1820			
Armendaris			

*Sale of Land Near Belen, 1818, 1828*

In this post of Valencia on the eighth day of the month of June in the year eighteen hundred eighteen, for lack of a Royal notary public in this entire province, before me, Don Miguel Aragon, Alcalde Mayor of the jurisdiction of Belen, its districts and frontiers, with power to act; before me Jose Antonio Quintana and Carlos Gavaldon have made the requisite presentation for themselves, the first resident of the community of Sevilleta and the second of the *ranchitos* of the same community, whom I certify I know, and the aforementioned Jose Antonio Quintana said he was giving and in effect transferring in royal sale to said Carlos Gavaldon the title to land which belongs to him by grant in the said site of Sevilleta on both banks of the river, for the price and sum of one team of oxen and two cows with calves which come to one hundred pesos in the current coin of the land, which said Gavaldon confers upon him in turn, received with his full satisfaction and endorsement, with his amount paid and satisfied so that this may be honored as the fair price, that if it be valued at more or could be valued in excess he will have it free by grant pure, perfect, irrevocable, which the law describes as *inter-vivos*, in order that he may enjoy possession for himself, his marriageable children and successors without the possibility that there might be put upon it some demand by the said seller nor any of his people, and that if in case it might be, they may not be heard in judgment nor lawsuit for it; moreover that he waives now and forever and forever to the present all and as many laws as may speak in his favor, that none may be of value, and it is submitted now to the royal justices of His Majesty in order that they may compel and oblige

him by all of the strictness of the law to fulfillment of this contract, whose testimony executes it so that it serves as the title, and he may take and takes possession of said title to the land, and that he may keep it in his possession as his safety and security; and they did not sign it because he said they said they did not know how, therefore I, said Alcalde Mayor, may sign it with the testimony of my witnesses, for whom I certify—

Miguel Aragon

(Witness) Mariano Montoya

(Witness) Francico [*sic*] Maldonado

In this town of Santa Maria de Belen on the Fifth of April of eighteen hundred twenty-eight—before me, Official Alcalde of this town, were presented Don Juan Geronimo Torres and Carlos Gaval-don, the first a citizen of Sabinal and the second of the vale of Sebilleta, for whom I certify, and whom I know, and Gaval-don said that he transferred and turned over to Torres the attached deed with all of the rights and privileges which were accrued, to said Torres, giving him the deed which was executed by Jose Antonio Quintana, for the same price that it cost, and with this the aforesaid Gaval-don remains without any right by said transfer by which he [Torres] will have the lands in full formality. This before me and entreating me that I might place all of the judicial authority in order that it may have full force, and I said that I place it in effect to the extent that is conferred upon me, with testimony of witness, for whom I certify—

Antonio Jose Chaves

Witness;

Jose Patricio Baca

Gregorio Arteaga

*Commission as Lieutenant of Militia*

The respectable municipal government of Santa Maria de Belen, dependent of this territory of New Mexico:

In compliance with Article 21 of the Provincial Ordinance for the Civil Militia there have been elected by the individuals of the company of seventy men, formed in this jurisdiction, by a strong plurality of those assembled before this municipal government, for Lieutenant of the same company, the citizen Don Juan Geronimo Torres, whose election is proclaimed by the action of the president of this community; consequently we order that all of the persons enlisted in this group in order to form the aforesaid company in this town of Belen may find and have the citizen, Don Juan Geronimo Torres as lieutenant, reserving for him the preeminent honors to which he is entitled by the rule of law of the matter discussed, which

carries for the inducted lieutenant the obligation to take an oath before the respective commanding officer, as provided in Article 35.

Done in the town-house of the municipal government of Santa Maria de Belen on the 25th day of the month of October of 1826. First, third, and second.

Antonio Chaves y Aragon

Commander of the Said Company  
Commission as lieutenant of the civil militia in behalf of Don Juan Geronimo Torres.

*(To be continued)*



## Book Reviews

*Land of the Conquistadores.* Cleve Hallenbeck. Caldwell, Idaho: The Caxton Printers, 1950. Pp. 375. Illus. \$5.00.

While little, if anything, is added to present knowledge of New Mexico history in this ambitious compilation, Hallenbeck's work is a welcome résumé of data gleaned from the published research of such dependable and scholarly historians as Bolton, Hackett, Scholes, Bloom, and others. Perhaps sufficient credit is not given to the late Lansing Bloom, whose careful and thorough research in Seville and other European archives and libraries made available to scholars much of the lately acquired information regarding former gaps in New Mexico's annals, by means of microfilm now stored in the Library of the University of New Mexico and of the Museum of New Mexico. As the author states in his Foreword: "To date no other unbroken history of the state has been written, because the period 1608 to 1680 was almost entirely blank—the so-called 'silent years' of the state's annals." Referring again to the Foreword, the author was unaware that the New Mexico Archives, transferred at one time to the Library of Congress, have been restored to the vaults of the Museum of New Mexico and the New Mexico Historical Society. Some readers might find fault with the classification adopted by Hallenbeck for New Mexico inhabitants as Spaniards, *mestizos*, Spanish Americans, New Mexicans, and "Anglos," only the last named being designated as "white" citizens of the United States. The author died in February, 1949, and therefore did not have available to him late publications such as Bolton's *Coronado and the Turquoise Trail* or the historical sketches of present-day author Fray Angélico Chávez and other Catholic writers.

The book opens with a sketchy treatment of the Indian tribes when they apparently occupied different sections of the Southwest in early days. This is followed by a chapter entitled "The Conquistadores," beginning, as do most if not all New Mexico histories, with the wanderings of Cabeza de

Vaca and his three companions. The author is among those who believe that they made a detour far into New Mexico. Friar Marcos de Niza is branded a charlatan, impostor, and unmitigated liar, the author completely ignoring the pleas of apologists and defenders of the friar, from Bandelier to Fray Angélico.

Chapter 3 is devoted to "The Seventeenth Century," beginning with Juan de Oñate, the colonizer, up to and including the reconquest by de Vargas. The Eighteenth Century chapter, starting with the administration of Pedro Rodríguez Cubero, lists the governors up to Fernando Chacón and tells much of the strife between the Franciscans and the secular authorities which began as early as the days of Oñate. Hallenbeck states: "One of Oñate's demands which was disallowed, was that religious orders other than the Franciscans be permitted to engage in missionary activities in New Mexico. This request, if granted, would have prevented most of the turmoil that marked the seventeenth century in this province. . . ." A few pages later: "The Pueblo Indians thus found themselves with two masters who continually were at loggerheads. The situation was rendered worse by the fact that the Church was represented in New Mexico by only one of the mendicant orders—the Order of Friars Minor, popularly known as the Franciscans." These conclusions of the author must be taken as mere opinions not entirely borne out by facts. Indian warfare and the westward march of the French colored much of New Mexico's history in the Eighteenth Century. Writes Hallenbeck: "Spain's activity on this northern frontier was directed chiefly toward two objects: (1) the repulse of the French advance, and (2) the protection of the settlements from hostile tribes that encompassed New Mexico on the west, north and east." However, much else occurred as the administrations of successive governors are covered more or less briefly, climaxed by the administration of Juan Bautista de Anza, to whom, according to the author, the following tasks were assigned: (1) to lay out a more direct route from Santa Fe to Sonora, (2) to dissolve the alliance between the

Apaches and the Navajos, (3) to form an alliance with the Comanches, (4) to consolidate the scattered settlements of the province, and (5) to save the Moquis from extinction.

Chapter 5, "The Nineteenth Century," brings New Mexico history up to the American Occupation, a few paragraphs in conclusion merely referring to the years that followed up to the granting of statehood to the Territory.

Hallenbeck adds chapters "dealing intimately with the life of the colonial New Mexico," depending upon Benavides, Vetancourt, Morfi, and Barreiro, upon traditions and the early visitors over the Santa Fe Trail. There are separate chapters on Government, the Missions, Population, Industries, Commerce, Colonial Life, the Spaniard and the Indian, and The New Mexico Camino Real, the longest and most informative, perhaps, being the chapter on commerce.

The illustrations are from drawings by the author done rather stiffly with pen and ink. Maps and plats aid the reader to follow the sequence of the narrative. The book is one deserving a place on the library shelf of everyone interested in New Mexico history.

PAUL A. F. WALTER

Santa Fe, New Mexico

*Bird's-Eye View of the Pueblos.* Stanley A. Stubbs. Norman: University of Oklahoma Press, 1950. Pp. ix, 122. \$3.00.

This small volume represents a compilation which should have been made years ago. No library concerned with Southwestern subjects can be complete without its inclusion.

Following a general discussion and illustration of ground plans of prehistoric Pueblo villages, and a brief description of Pueblo Indian life, the author systematically lists all of the currently occupied Pueblos of the Southwest. Each is illustrated by means of a vertical aerial photograph and a scaled map. Each room is shown and the number of stories of construction indicated. Kivas and abandoned rooms are designated, as are the missions. After completion of the air photographs, the author visited each village in order to

establish a scale for the accompanying map and to orient the ground plan in relation to north.

This record of the villages of a rapidly changing people is particularly valuable because of the inclusion of tabulated information such as the etymology of the village name, linguistic affiliations, approximate date of founding, the census of population, size of reservation and the date of the annual feast day and dance. It is for this reason that no serious visitor to the Pueblo villages should be without a copy.

Accompanying the photographs, maps and tabulations are brief and soundly authoritative discussions of each Pueblo, its pottery, basketry, silverwork and other handicrafts, together with salient points concerning the history of the people. These contribute so much that one might wish they had been more extended. With justification Stubbs also emphasizes the rapidity of change or alteration of the ground plans. This circumstance may well make us speculate on the enhanced value of this record one hundred years from now.

The insignificance of the errors found certainly reflects the high validity of the book. The single kiva at Sandia is referred to as being plural in the text (page 34), the *square* kivas of the Rio Grande towns should not have been called *rectangular* (for this confuses them with the Little Colorado rectangular kivas), and a comma is misplaced on page 71. The only other possible bone of contention has to do with the date of changes in the Pueblos as a result of Spanish re-conquest. This date is usually given as 1692 rather than 1693.

One interesting point bears on an old, old argument. Stubbs lists Acoma as having been occupied "at least one thousand years" and Old Oraibi as having been occupied "since about 1150." However, the author conservatively states that "only by archaeological excavation in the refuse mounds of Acoma and Old Oraibi can the title of oldest continuously occupied town in the United States be settled." And such excavation is, of course, impossible at this time.



In addition to the accuracy and high value of this excellent account, the author has achieved the goal of making what might have been a mere tabulation into genuinely interesting reading. Although written in clear and popular form for the layman, the book will see extensive use for many years by the anthropologist.

PAUL REITER

University of New Mexico

*Grant of Kingdom.* Harvey Fergusson. New York: William Morrow and Company, 1950. Pp. vi, 311. \$3.00.

A reviewer of Harvey Fergusson's latest novel could sit down with it and a copy of W. A. Keleher's *Maxwell Land Grant* and occupy himself delightedly in seeking answers to such questions as whether or not the "grant" in question is the famous Maxwell Land Grant; to what extent the fictional Jean Ballard is Lucien B. Maxwell; whether or not Clay Tighe is in reality Jim Masterson, the law enforcement officer brought in by the grant people to quiet the dispossessed; to what degree Daniel Laird, preacher, is a fictional development of the Reverend O. P. McMains of Raton, fiery leader of the anti-grant faction; or who the fictional Major Arnold Newton Blore is supposed to be.

Such an exercise, however, would be of little profit to the lover of history or of fiction. A piece of historical fiction is not to be judged by any criterion of conformity to the known facts of character, era, or region, however sparse or abundant the known facts may be. The historical novelist seeks to catch the spirit, the feeling, the flavor of character, era, or place, not merely to get in as many known facts as possible. He is interested in "the process by which the past becomes a beloved myth," to use Harvey Fergusson's own words. He is interested in nostalgia, in the desire of any human being, as he looks at a place where life was once lived, to repeople that place, to vivify its incidents, to dramatize it and romanticize it and put some kind of understandable pattern upon it.

Harvey Fergusson started, he says, with the ruins of an old house; and he goes on from there to tell the fascinating story of an Eastern woodsman who came to the West, became a mountain man, fell in love with a woman of Spanish descent whose family had a royal Spanish grant, married her, and accepted the challenge to move east out of the mountains around Taos on to the Plains to settle and establish there law, order, and civilization. Here is the basic Robinson Crusoe fictional pattern that will still appeal mightily to any reader with an iota of love of freedom and tangible accomplishment left in him. The only difference is that there is abundance here that Crusoe never dreamt of. The one-man empire flourishes; only age and physical disability—and the march of history—defeat Jean Ballard. Land-hungry America swarms in, corporate interests gobble up Ballard's holding, nesters and settlers not very well versed in the intricacies of law and surveying are dispossessed, mainly through the iron nerve of a former Kansas officer who represents the new interests. An old-fashioned preacher-prophet with some of the primitive strength of Moses resists the new forces, but fails and goes back into the mountains and into the Spanish-American villages along the Rio Grande.

The Maxwell Land Grant locale is not the only one Mr. Fergusson writes convincingly about. Jean Ballard's life in the old Eastern wilderness, an axman's life like that of young Abraham Lincoln; the life in Virginia before and just after the Civil War, which Arnold Blore knew he had to leave; the raw life in the Kansas cattle-shipping towns; the life of the Western trappers and mountain men—Mr. Fergusson, in building characters' backgrounds, handles all these briefly but with the novelist's sense of what is meaningful and what is not.

It is perhaps a bit difficult to tell how seriously one should take the clue to the pattern of the book that the author himself gives. In his "Foreword" Mr. Fergusson writes, "Here were the benevolent autocrat creating order, the power-hungry egoist destroying it, the warrior tragically bound to

his weapon, the idealist always in conflict with an irrational world, struggling to save his own integrity." Whether or not this story and this situation really have much in common with or throw any light upon "the great power struggles that periodically shake the world" [Fergusson's own words again], here are people that are convincing, working out a destiny in a region that called out the heroic and the dramatic. Above all, here is a portion of history in a beloved region made into a "beloved myth." These yesterdays in the American West were not many days ago, and Harvey Fergusson makes it seem tragic to have lost them.

DUDLEY WYNN

University of Colorado

*Cowboys and Cattle Kings*. C. L. Sonnichsen. Norman: University of Oklahoma Press, 1950. Pp. 316. \$4.50.

This is a shotgun kind of book. Mr. Sonnichsen knows a great many people in, or associated with, the livestock industry. He crams these into both barrels of his ten gauge Greener and lets drive.

The title, "Cowboys and Cattle Kings," seems a little misleading and the subtitle, "Life on the Range Today," comes nearer to describing the contents of the book. To be sure there are cowboys present and at least one cattle king, but there are also sheepherders, sheepmen, stock farmers and a dairyman or so. Perhaps a better title for the book would be: *A Good, Fair Picture of How Men Get Along With Cows*, and the subtitle might read, *And How They Look, Act, and Talk While Doing It*.

Anyone who wants the above, circa 1950, should have *Cowboys and Cattle Kings*. Anyone who wishes to preserve his illusions as depicted by Roy Rogers, Gene Autry, et al, should leave it alone. Because the movies won't buy this one. What horses there are ride in trailers and pick-up trucks, the way horses ride. The people pack few guns, lock their doors when they go to town, and otherwise act as reasonable citizens. Never a one says, "They went that-a-way," and only two or three are cow thieves.

Indeed, at first reading it seemed that Mr. Sonnichsen was on a debunking expedition, but reflection shows that this was not the case. The author had something on his mind and this appears to be that while times change and people change with them, Western people remain Western people. Just doing things differently, that's all.

Pleasant reading.

BENNETT FOSTER

Albuquerque, N. M.

*Revista Interamericana de Bibliografia: Review of Inter-American Bibliography.* Washington: Pan American Union, 1951.

This quarterly replaces *Lea*, which has been discontinued. It should become a useful supplement to other literature on Latin American and American countries. It will not, however, replace professional journals devoted exclusively to Hispanic American states. For example, the *Hispanic American Historical Review* is published in the English language; the newcomer in the field, the *RIB*, is essentially bi-lingual, and often even quatro-lingual. Contributors write in their native idioms, which may indicate that the circulation will be greater in the Latin-speaking countries than in the United States and Canada. There are also some European contributors, who, by agreement, are restricted to writing in French, Spanish, Portuguese, or English.

Another variation from the usual type of professional journal lies in the fact that the *RIB* will attempt to cover all fields, which will mean special usefulness for reference and research. The reference room of every library should have copies on file; this periodical should be read by all students of Hispanic America, regardless of the field in which they specialize.

Because the publication is sponsored by the Pan American Union, one must not expect the exactness demanded by professional journals. Although Dr. A. Curtis Wilgus is the president of the organization, its essential purpose seems



to be the continued development of closer cultural relations between the various states on a higher level, with each country making contributions within chosen fields.

The *RIB* will, like most quarterlies, publish a general bibliography of books, pamphlets, and articles, as well as bi-annual lists of new periodicals, and an annual roundup of government documents. The latter two items should be used as checklists of Latin American materials.

The two major weaknesses appear to be: first, the employment of a variety of languages, which may prove to be a handicap to the less gifted who would otherwise be interested; and second, as the title indicates, only the area is specific, the field is general.

DAVIDSON B. MCKIBBIN

University of New Mexico

*Mexico During the War with the United States.* José Fernando Ramírez. Edited by Walter V. Scholes. Translated by Elliott B. Scherr. The University of Missouri Studies, XXIII, No. 1. Columbia, 1950. Pp. 165. \$2.50.

This is one observer's view of Mexico during the years 1846 and 1847. It is in the form of a diary and letters to a political friend. These were published nearly fifty years ago in the original Spanish by Genaro García. Now they appear for the first time in English translation, with numerous brief notes identifying persons and places and explaining certain events that might not otherwise be clear to the reader. The translation seems to be a happy combination of accuracy and clarity. The notes, in some instances, are incomplete, and the index is not quite adequate. The introduction does not present a rigidly accurate view of the circumstances leading to the Mexican War. But these are very minor blemishes. The documents well deserve publication in English, for they present a vivid picture of the chaotic conditions in Mexico during this period as seen by an intelligent observer, as well as the opinions and perplexities of this observer, who witnessed in person many of the events which

he described. José Fernando Ramírez did not have a high regard for the political capacity of the Mexicans of his day, whom he considered proud, imprudent, selfish, and, for the most part, corrupt. Later he seems to have despaired of their ability for self-government, for while he did not join in the invitation to Ferdinand Maximilian to rule Mexico, he soon became a member of Maximilian's cabinet. Although Ramírez had a few kind words for Paredes, Santa Anna, and Gómez Farías, his tone is usually denunciatory. The Mexico of this war period seems to have reeked with petty larceny.

J. FRED RIPPY

The University of Chicago

# CONSTITUTION

## OF THE HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 25, 1941)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, a vice-president, a corresponding secretary, a treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendments shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.



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*July, 1951*

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# NEW MEXICO HISTORICAL REVIEW

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WASHINGTON ELLSWORTH LINDSEY

*By* IRA C. IHDE \*

*Youth and Early Manhood*

WASHINGTON ELLSWORTH LINDSEY exemplified the spirit of a pioneering and progressive family. The third governor of the state of New Mexico was born on December 20, 1862, near Armstrong Mills in Belmont County, Ohio. He lived the normal life of an Ohio farm youth for his time. He slept in the loft of the log house, which he reached by climbing a straight ladder along the wall. The boy loved to fish in nearby Capitana Creek, to roam the fields in search of arrow heads, and to tramp through the woods to his favorite persimmon tree. As he was the sixth of eight children, he was disciplined frequently by the older members of the family.

Washington Lindsey began his educational career in a one-room, brick school building at Armstrong Mills. He began attending the village school at the age of seven, and attended four months each year until he was seventeen. Due to the large number of pupils for the one teacher, individual recitations were very infrequent. However, because of his love for history and mathematics, he became proficient in these subjects. Upon completion of the course offered at the village school, he entered Scio College in Harrison County, Ohio. This was a Methodist supported institution which united in 1911 with Mount Union College of Alliance,

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\* Dr. Ira C. Ihde is a member of the faculty of the Eastern New Mexico University. This article is a condensation of his doctoral dissertation, University of New Mexico, 1950.

Ohio. The "One Study System" was in vogue at Scio College. A student devoted himself exclusively to the study of one subject until he could pass a proficiency examination. Upon successful completion of an examination, he devoted his time to another subject. After displaying a superior grasp of history, government, and mathematics, Washington Lindsey was graduated in the spring of 1884 with the Bachelor of Science degree.

While at Scio, he was inspired by a Professor Smith to continue his education after graduation. He wished to stay in school, but lacked the necessary funds. The next four years, then, were spent in accumulating funds and in developing a philosophy of life. Any and all odd jobs were welcomed by him; he even took up amateur boxing to aid his finances. Most of his time, however, was devoted to teaching short terms of school. The young man migrated from place to place, teaching in country schools in Ohio and Michigan, and later at West Point and Mohament in Piatt and Champaign Counties in Illinois.

Washington Lindsey matriculated at the University of Michigan in the spring of 1888, and in June, 1891, received the degree of LL.D. from this institution. While at Michigan, he was active in student life. He was always an advocate of westward expansion. Because of his interest and respect for Horace Greeley, his classmates attached to him the nickname of "Greeley." Although he was opposed to polygamy, the young man had a great admiration for the westward migration of the Mormons. His forensic society selected him to represent it in debates on a phase of the Mormon question involving the Edmunds Act. The respect with which he was held by his classmates is shown by the fact that he was elected vice-president of his class.

While attending Michigan, Washington Lindsey's life was particularly influenced by several individuals. He did some special work under H. B. Adams, a noted statistician, who was in the service of the Federal government. He was a pliant student of the renowned John Dewey, professor of philosophy at Michigan from 1884 to 1888. James R. Angell was a close friend from among his classmates. Angell later

became an eminent psychologist, a professor at the University of Chicago for many years, and then president of Yale University. This friendship was maintained by correspondence and visits throughout the life of Washington Lindsey.

Having finished law school, he soon embarked on a long delayed marriage. While at Scio College, he was chosen to carry the lead in a college play. Cast to play opposite him was Amanda "Mattie" Haughton of Easton, Michigan. Lindsey played the character of a young man named "Wade," while "Mattie" was cast as a young lady named "Deane." The enacted love scenes initiated a romance which later culminated in marriage. The rest of their lives, "Mattie" called Lindsey "Wade" and Lindsey called her "Deane."

Washington Lindsey and his wife had three children: Howard Wade, born in Chicago, December 25, 1893; Helen Marr, born in Chicago, August 1, 1898; and Michael Roosevelt, born in Portales, New Mexico, on January 7, 1904. The latter was named after Miguel A. Otero, Governor of the Territory of New Mexico, and Theodore Roosevelt, President of the United States. Both were progressive Republicans at the time of the boy's birth and both were greatly admired by his father.

In July, following his graduation in June, 1891, Lindsey began the practice of law in Chicago. His success for the first year was mediocre, but as the years passed there were signs of the development of a promising career. A certain amount of restlessness and the lure of the west, however, was in the background of his mind. He followed keenly the movement to the west. At the outbreak of the war with Spain, he offered his services to his country. He was commissioned captain of Company L of the provisional division in Illinois; however, the armistice was signed before his regiment was inducted into service.

He took an active part in Illinois politics, and was a delegate to the Republican State Convention at Peoria, in May, 1900. The men whom he helped to nominate were elected that fall after he had left the state.

In the meantime, Mrs. Lindsey was seemingly growing



deaf. Her physician advised her to move from Chicago to a high and dry climate. This suggestion was welcomed by her husband. He was solicitous of her health, and felt that the west would offer opportunities for a young man with a legal background. Mrs. Lindsey, with her two children, came west in an exploratory trip. She first went to Salida, Colorado, but this did not seem satisfactory. She then went to Roswell, New Mexico. After residing there for one month, her husband joined her in May, 1900. But Roswell, too, did not seem satisfactory because the water disagreed with Mrs. Lindsey. On June 20, 1900, they located at Portales, New Mexico, where they were to spend a quarter of a century of their lives, and to take an active part in the development of New Mexico.

### *Civic Interests*

Myriad were the activities of Washington Lindsey after his arrival in Portales. The entire area of what is now Roosevelt County at that time, with the exception of probably twenty quarters, was "free" government land. Lindsey applied for an appointment as United States Commissioner, and on July 10, 1900, the appointment was received from Chief Justice Mills of the Territorial Supreme Court. Thousands of homestead filings were made before him. Lindsey, himself, bought out the claim of someone on a homestead in North Portales. Upon this 160 acre tract, he immediately built a small home. Later he enlarged it and, except for short intervals, this remained his home throughout his life.

Lindsey served as United States Commissioner for sixteen years, from 1900 to 1916. During those years the duties of his office took up most of his time, but not all of it. He was actively engaged in the practice of law, and in promoting various business enterprises which have proved of decided value to the community. He was identified with practically all of the activities of the town and the community.

The promotion of townsites was one of Lindsey's business ventures. In company with John Brown Sledge, he formed the Portales Townsite Company, and was president and chief promoter of this organization from 1902 to 1911. A large portion of Lindsey's homestead was converted into

town lots. In addition, much of the original townsite of Portales was purchased by this company and sold to individuals who sought new homes in the west. In the early years, in making his contacts, he traveled in a two-seated hack drawn by one horse, called "Old Mouse." After discarding this mode of conveyance, which had become a familiar sight in Portales, he purchased his first automobile, which he called the "Bull Moose."

The promotion of townsites in the surrounding communities, with various associates, engaged another portion of Lindsey's time. Early in the century, the Atchison, Topeka, and Santa Fe Railroad Company was contemplating a site for its shops somewhere along its proposed line between Amarillo, Texas, and Vaughn, New Mexico. These shops were finally located at Clovis, and it was here that Lindsey realized nice profits from the sale of original townsite lots which he had bought for speculative purposes. However, while the location was still in doubt, Lindsey and his associates bought land along the route, and established two other townsites, in hopes of securing the Santa Fe shops. They laid out town lots and named the places La Lande and Taiban. Both Taiban and La Lande became railroad stations, and La Lande gave promise of growth; for a time it had a college and a newspaper. The census of 1940 gives Taiban an estimated population of one hundred, and La Lande thirty-five. Both bear testimony to the optimism of a pioneering and progressive spirit. As a monument to that spirit, there still stands at La Lande a beautiful but empty Santa Fe station.

During the years of his multiple activities, Washington Lindsey acquired considerable property and financial holdings. He owned several farms, some livestock, business buildings, and some bank stock. After business hours he enjoyed supervising the farm near his home. On this farm he had a small herd of cattle, and hired men, working under his direction, took care of them and farmed the land.

Lindsey was a booster for his home area. He gave a generous and encouraging hand to the Commercial Club and to the geographical area of his home. He cultivated friend-

ship and fellowship in his home, his church, and his fraternal organizations. He promoted the expansion of dry land and irrigation farming in his community.

Prodded by Lindsey and John A. Fairly, William H. Andrews, territorial delegate from New Mexico, was instrumental in getting a forest reserve for Roosevelt County in 1905. It was a strip in the northern part of the county, running east from the present site of Melrose to the state line. It was eight miles wide and thirty miles long but no trees were ever planted. A full time forest ranger lived in Portales for over two years. The reserve project was abandoned and restored to the public domain in March, 1907.

Boosting for the home area agriculturally, Lindsey first experimented with dry land crops; later he became an ardent advocate of irrigation. He was one of the first to try dry land cotton growing in Roosevelt County, and his original half acre of planting was successful. When the federal government distributed free cotton seed, which was especially adapted to arid lands, he encouraged the local farmers to submit their names to him so that he might get their allotment from the territorial delegate in Congress, W. H. Andrews.

Living in a semi-arid land, Lindsey loved trees of all kinds. He planted many of them and encouraged others to do so. On his frequent trips to Ohio, he brought back walnuts and successfully grew them into trees.

But the promotion of irrigation in the Portales Valley was his first love. When information was received in Portales that an artesian flow of water had been discovered near the present site of Artesia, New Mexico, much interest was shown in this event by the citizens of Portales. Accordingly, sponsored by Lindsey, a pool of money was collected in the fall of 1902 for the purpose of drilling a test well. In 1903 and 1904 a Mr. Jessup was employed to drill the well. It was found that the well would flow only by mechanical means; it was not artesian. This however did not discourage Lindsey, but his enthusiasm was not shared by all and the project was soon abandoned.

A second stimulus to the Portales irrigation project

occurred on May 20, 1909, when Delegate Andrews introduced a bill in Congress to set up a fund of \$300,000 for an electric plant at Portales. The bill went the way of most bills; it died in the committee. It did, however, arouse local interest and local efforts. A citizens' committee, with Lindsey as chairman, was appointed to confer with the Westinghouse Company of Pittsburgh relative to the possibility of establishing a power plant in Portales.

In the meantime, several individually sponsored test wells were sunk, two of them by Lindsey. Both of them were successful in producing a generous flow of water.

After a considerable amount of promotion and several mass meetings, the Portales Irrigation Company was incorporated on December 14, 1909. Its chief promoter, Lindsey, was unanimously elected president. A contract was drawn with the Westinghouse Company. The general plan was to have the farmers subscribe a minimum of 10,000 acres for irrigation. They were to make an initial payment of \$3.50 an acre, and to pay in annual installments until a total of thirty-five dollars an acre had been paid. The Westinghouse Company was to hold a mortgage on the farms as security; it in turn was to erect the huge power plant and supply current to the individual farms. Rapid progress was made in getting subscriptions for a while but not without minor difficulties. By July 21, 1910, fifty-six wells were pumping with an average of from 750 to 1,470 gallons per minute. A Water Carnival was held in Portales on August 18, 19, and 20 to celebrate the first year of operation of the plant. On February 1, 1912, there were sixty-nine wells powered from the central plant. During the fall of 1913, the company began its first extension by adding thirty miles of line and twenty-five new wells. This project was completed by March, 1914, and the total length of power lines at this time was 105 miles.

But the task of converting dry land into production was not all smooth sailing. As early as 1911, ten per cent of the subscribers were unable to meet the payments due in that year. Furthermore, in that same year, due to the need of repairs and the mechanical overhauling of the engines, there



was a shortage of power and likewise of water during the heat of summer. Lack of proper marketing facilities for perishable products depreciated the outlook for profits. The number of delinquent subscribers increased. It was not always possible for a farmer to get water when he most needed it. Individual pumping systems were installed increasingly year by year, and became serious competitors of the central plant. The Portales Power and Irrigation Company as such, became defunct in 1917. The bond holders acquired over seven thousand acres of the best land in the Portales Valley. It was appraised at twenty dollars per acre. The probable loss to the irrigation company was estimated at \$500,000.

It was a heavy blow to Lindsey. He grieved for the losses of his friends, and personally lost \$50,000 in the venture. The co-operative project failed but it demonstrated the possibilities of irrigation in the valley. Today the Portales Valley has over 30,000 acres under irrigation. The leading crops are grain sorghums, peanuts, sweet potatoes, garden truck, and cotton. The total estimated income from these crops, for the year 1948, was \$4,000,000. Much of the credit due to this progress in irrigation farming must be given to the prophetic vision and dauntless courage of Washington E. Lindsey.

### *A Friend of Education*

The cause of free public education always needs friends. In a frontier area these friends are invaluable; such a friend of education was Washington E. Lindsey. A section of public school land was located near Portales while the town was in need of money to sponsor its elementary school system. Lindsey conceived the idea that this public land could be sold to the local school board at a nominal price; the board, in turn, could re-sell the land as city lots, and realize a nice profit for the school fund. He worked on this project persistently until it was accomplished.

In the meantime, financial difficulties were jeopardizing the length of the school term. In February of 1908, the chairman of the school board called a special meeting of the



patrons to discuss the proposed closing of the schools at the end of the seventh month because of lack of funds. At this meeting many patrons, one of whom was Lindsey, voiced their opposition to the plan. Lindsey made an address in which he pleaded for the extension of the school term, and in which he gave an intelligent account of the manner in which the school funds were raised and in what manner they might lawfully be disbursed. The schools did not close.

That Lindsey had a long range vision for the school program is indicated by his advocacy of conserving school lands as a constant source of revenue, and of disposing them only when at a premium. This was his constant policy through the years.

Lindsey's interest in education extended to the higher educational institutions. He believed in sending New Mexico youth to New Mexico colleges; and to have a college near the home town, if possible. Even previous to the constitutional convention, he thought of a college for the eastern side of New Mexico. He was not successful in gaining a normal school in Portales immediately, but he had a hand in laying the groundwork for a future college at that place. Commenting on this activity, Thomas J. Mabry observed that "W. E. Lindsey and J. C. Compton worked hard with me for an east side normal." The result of this hard work was a provision in the organic constitution for a normal school in one of the six counties which in 1910 constituted the eastern side of the state.

In appraising the administration of Governor Lindsey, Dr. Frank H. H. Roberts, former president of New Mexico Normal University, stated: "His friendship to the movement in education merits one of his claims to a place in the history of the state."

The welfare of the non-English speaking New Mexican soldier was one of his problems while he was governor. Rumors were current that these men were the object of discrimination by American Army officers. The Governor made a tour of inspection through Camp Kearny and Camp Cody, a result of which was that schools of instruction were established in both camps for those who could not speak the

English language. Cordial relations were sponsored between Spanish-speaking and English-speaking soldiers.

In his administration, Governor Lindsey personally sponsored more generous appropriations for the educational institutions; and he sponsored and signed several bills which have promoted the cause of education in New Mexico. Important educational laws enacted during his administration made it possible to teach high school courses with credit in the rural districts; to promote co-operative extension work in agriculture and home economics; to centralize and control the rural schools for efficiency, and for more economical administration by the creation of county boards. Other important educational laws provided for an annual appropriation to the Historical Society of New Mexico for the maintenance of public exhibits in the State Museum, the acceptance of the museum by the state, and an authorization for the use of the museum by the School of American Research.

Probably one of the greatest contributions that Lindsey made to the cause of education was his service as president of the Portales Board of Education. He had a long tenure in that capacity, serving from 1910 to 1916, and again from 1919 until his death in 1926. While Lindsey was the chairman of the board, that body worked on democratic principles in the management of the public schools. After plans and specifications for new school buildings had been drawn, they were exhibited to the public in Lindsey's office. In a current news item he stated that the board wished to invite the citizens of the school district to examine the plans and specifications and to submit such suggestions thereon as may occur to them. The annual report of the board of education, written and submitted for publication by Lindsey, urged all patrons to attend the sessions of the board and to criticize and make suggestions to the members.

That Lindsey was democratic in school policies is further evidenced by his work in the constitutional convention. In reporting to the citizens of Roosevelt County regarding the actions of that body he stated that the reactionaries or "stand patters" desired appointive supreme and district

courts, an appointive attorney general, an appointive superintendent of public instruction, but that these officers were now elected. He further stated that he had something to do with the provision that women might vote at elections for school officers and be eligible for election to school offices. That he practiced these precepts is evidenced by the fact that he was instrumental in getting Mrs. J. P. Stone as a member of the Portales Board. She was the first woman to serve in that capacity in the entire area. Thus, the wide range of Lindsey's educational activities designate him as a friend of education.

### *Political Activities*

The lure of politics was fascinating to Lindsey throughout his lifetime. By conscientious effort he left an enviable record of achievement along political lines for his city, his county, and his state. His first endeavor for community building was in writing a bill to create Roosevelt County and securing its passage through a territorial legislature. The population increase in eastern New Mexico was due, in part, to the building of the Pecos Valley and Northeastern Railroad in 1898; the population increase, in turn, created a demand for a new county. The county seat for the area at that time was at Roswell, a distance of over ninety miles. If Portales could be made a center of local government, not only would it bring business to town, but it would also eliminate much wearisome travel to and from Roswell.

The bill for the new county was drawn up by Lindsey and introduced in the territorial council by Albert Fall. On February 28, 1903, Roosevelt County was created by the signature of Governor M. A. Otero.

His work in the creation of Roosevelt County was just the beginning of the political activity of Lindsey. In a sense, it served as a step to a political appointment in the newly created county. Governor Otero, on March 23, 1903, designated him as the probate clerk, a position which he held until the end of 1904. Lindsey's conscientious work as county probate clerk and the proper political connections led, in 1905, to his appointment as assistant district attorney. He

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held this position throughout the year 1909, serving under District Attorney J. M. Hervey, of Roswell. Later, while governor, Lindsey appointed his former chief as special counsel in the attorney general's office.

Direction of the county Republican organization was virtually a lifelong political activity of Lindsey. With the exception of two slight interruptions at his own request, he served continuously as county Republican chairman from the inception of the county in 1903 until his death. While he held the office, harmony pervaded the county Republican ranks at all times. No doubt in most respects his leadership as county Republican chairman paralleled that of other county chairmen of his day. He called meetings, presided at them, introduced speakers, released publicity, and promoted party harmony to the best of his ability. Perhaps the most striking element of his leadership was his policy of writing resolutions, having them approved, and then having them published in the county papers. This feature was in line with his political policy of writing many open letters to the public stating his specific views on the questions of the day. The county convention resolutions appeared regularly.

The county Republican chairmanship led to state political connections and activities. The newspaper files record that in 1904 he attended the territorial Republican state convention at Las Vegas. In 1908 he was at the territorial Republican convention at Silver City which was "very harmonious," and in which "the sentiment was very strongly expressed in favor of Taft as the next nominee of the party for president." Three years later he was a delegate to the territorial convention at Las Vegas; and in 1918 he headed the Roosevelt County delegation in the state meeting in Santa Fe. In the state convention of 1921, held in Santa Fe, he was "honored by being placed on the resolutions committee."

Portales became an incorporated municipality in February, 1909. The unanimous choice for mayor of the new town was W. E. Lindsey, who served until the spring election of 1910 when he refused to further consider the mayoralty. Lindsey and his "Home Protection Ticket" won on a



progressive and prohibition program. They favored the construction of a municipal water and light plant and the banishment of the saloons in Portales. In regard to the latter, the issue was made by the winning ticket as strictly in favor of prohibition for Portales. Immediately after election, the city administration promoted and held a bond election and passed city "ordinances that put the saloon temporarily out of business." A municipal water, light, and sewer system was installed at the expense of \$80,000. Both the dry ordinances and the municipal projects after they got underway drew considerable opposition. Some citizens charged that favoritism was being shown to members of the city council in the matter of public utilities, while other objected to what they called dictatorial methods in handling the liquor problem; nevertheless, the projects were carried on to a successful conclusion. Today, the city of Portales still owns and operates its municipal water and sewer plant; its light plant was sold to the Southwestern Public Service Company in 1925; and Roosevelt County is one of the two remaining dry counties in New Mexico.

Within a month after the first bond election of the city of Portales, the mayor went on an exploratory trip to nearby cities to study their municipal programs. On his return, he wrote an open letter to the public in which he reported his findings and in which he laid down the broad plans of the program of improvement of his own city. That the program of instituting a municipal light, water, and sewer project for Portales was successful is a matter of record. The success of the city dry ordinances is a matter of conjecture, but, Lindsey held that they worked well. When speaking for local option in the state constitutional convention, he said that the people of Portales had lived under prohibition ordinances for eighteen months and were satisfied. He further stated that Roosevelt County had accumulated in its court fund a balance exceeding \$6,000 or \$7,000, had reduced its tax rate for the court fund from six to three mills on the dollar, and that "the jail has stood practically empty since the saloons have been banished."

Chronologically the next important political activity of



Lindsey was his work in the state constitutional convention. Soon after the national congress passed the enabling act for New Mexico, and the territorial allotment for delegates to a constitutional convention had been set up, the Republicans of Roosevelt County nominated him as delegate. His contributions in the convention will be treated in subsequent pages.

In the year following the state constitutional convention, the Republicans of Roosevelt County, by convention, nominated Lindsey for the office of state senator from Roosevelt County. It was a fitting tribute to the Republican member of the constitutional convention from his home constituents. However, Roosevelt County is on the Democratic eastside of New Mexico and the result was a defeat for Lindsey. Practically the only campaigning engaged in by him in this first state election was the publication of an open letter to the electorate of Roosevelt County. The letter gave a frank and sincere statement of his political philosophy. In it he advocated a powerful elected tax commission, a retention of state lands until they could be sold for an appreciable price, state wide prohibition, direct election of United States senators, and the direct primary. He also favored a corrupt practice law, homestead exemption from the property tax, reduction of legal interest rates from twelve to ten per cent, the location of a Normal School at Portales, and the initiative, referendum, and recall in state government.

Lindsey's next step up the political ladder was his nomination and election as lieutenant-governor. He had been a member of the state Republican convention which nominated the first group of Republican candidates for office in the new state. In this convention, he unsuccessfully opposed the nomination for governor of Holm O. Bursum. Again in 1916, Lindsey unsuccessfully opposed Bursum, but finally accepted the nomination to campaign as his running-mate. He was a representative of the progressive element of the Republican party, while Bursum was the leader of the so-called Old Guard Republicans. While Lindsey took little active part in the campaign, he managed the interests of the Republican party in Roosevelt County and introduced Republican state candidates when they appeared in his area.

The Republicans and Democrats split the two gubernatorial offices in the election of 1916. Ezequiel C. de Baca, Democrat, was made chief executive with a total vote of 32,732, against 31,524 for Bursum. For the office of lieutenant-governor Lindsey, with a vote of 32,742, defeated W. C. McDonald, Democrat, who polled 31,757 votes. Returns of Roosevelt County gave McDonald a majority of 602 votes over Lindsey, while de Baca's majority over Bursum was 804. But Lindsey polled the largest vote of the four and ran far ahead of his ticket on the eastern side of the state.

On January 1, 1917, Lindsey was sworn into the office of lieutenant-governor. He presided over the early deliberations of the senate of the third legislature from January 9 to February 19. On January 1, 1917, in Saint Vincents Sanitarium in Santa Fe, E. C. de Baca took the oath of office as governor. This was the occasion for the first meeting of the two men and they here pledged to each other their support and co-operation for the administration. The cordial relations thus initiated between the two continued until February 18, 1917, the date of Governor de Baca's death.

The last step in the series of political activities was taken by him a few years after he relinquished the governor's chair. In 1924 he was chosen as a delegate from New Mexico to the National Republican Convention which met in Cleveland, Ohio. In this convention, he cast his votes for the nomination of Calvin Coolidge and Charles G. Dawes, for president and vice-president respectively. After their nomination as the Republican candidates, he campaigned actively for their election. Thus, the life of political activity of Washington E. Lindsey was progressive; it began in the county, enlarged to the state, and closed on the national scene.

### *Framing the State Constitution*

The struggle for New Mexico's entry into the Union was a long one. It began soon after General Kearny's conquest and continued with accelerated intensity until its final culmination in 1912. After more than fifty bills on the subject had been drafted, a bill introduced by Delegate W. H. Andrews on February 3, 1909, and supported by Senator

Matthew S. Quay of Pennsylvania, became the basis for statehood. Modified to a minor extent, this bill became the victorious Enabling Act passed by Congress for New Mexico on June 20, 1910. This act authorized a constitutional convention, stipulated the number of delegates, and appropriated \$100,000 for the expenses involved. It provided that the election of delegates to the convention should be held not less than sixty days nor more than ninety days after the passage of the act.

On June 29, 1910, Governor Mills issued a proclamation calling for an election on September 6 to select the delegates to the convention. On July 21, County Republican Chairman Lindsey issued an official call to the Republicans of Roosevelt County to meet on August 9 for the purpose of nominating three candidates on the Republican ticket as delegates to the constitutional convention. One of the candidates nominated by the Republicans was Lindsey.

The following week, in one of his characteristic open letters to the public, Lindsey announced his platform and the objectives for which he would strive if elected. After extolling the principles and privileges of democratic government, he advocated elective state officials, the secret ballot, the initiative, referendum, and recall, state wide prohibition, the direct primary, and proportional representation for minority groups.

The campaign for the election of delegates to the constitutional convention from Roosevelt County was the most spirited of its political history. The final count of the balloting revealed that one Republican, Lindsey, and two Democrats, James A. Hall and C. M. Compton, had been elected.

The constitutional convention of New Mexico was officially called to order on October 3, 1910. Lindsey was on hand early for the opening of the convention in Santa Fe, and in those early hours he learned something of the machinations of practical politics. He sensed quickly that all of his idealism would not be incorporated into organic law, as can be seen from his open letter of October 3 to his constituents. In this letter he described a pre-convention Republican caucus in which the "standpatters had the thing

all cut and dried." He predicted that the personnel of the committees as selected in this meeting would draft the constitution section by section and that their recommendations would be incorporated into the organic document.

The letter was strikingly prophetic and might well have served as a guide to the convention. The first official appointment received by Lindsey was his membership to the powerful committee on committees whose chairman was Solomon Luna, of Valencia County. The convention was resolved into twenty-six standing committees, each designated to write a portion of the constitution. Lindsey was made chairman of the committee of ways and means and was a member of two other committees: taxation and revenue, and public buildings and institutions.

The chairmanship of the ways and means committee was a challenge in conscientious stewardship for him. The national Congress, by the Enabling Act, had appropriated \$100,000 for the cost of the elections and the convention; Lindsey saw to it that these funds were kept in bounds and that they were justly apportioned. His committee met for serious business early in the convention and made a tentative detailed apportionment of the national appropriation. In this detailed apportionment, the committee estimated the costs as follows: cost of election of delegates, \$30,000; cost of the convention, including salaries of members and employees, printing and other expenses, \$675 a day; cost of election for the adoption or rejection of the constitution, \$30,000. On the basis of this estimate, the committee sensed that it could not finance a prolonged session of the convention; therefore, it placed before that body a recommendation that October 22 be the final date on which files could be introduced. This recommendation was accepted by the convention.

The incident that drew the most fire against the committee on ways and means was the introduction of resolution No. 21 by Delegate G. A. Richardson, Democrat of Chaves County, which provided for the printing of a daily journal to include, in full, all deliberations of the convention. Lindsey's committee reported adversely on this resolution, main-



taining that the cost would be prohibitive. The Democratic minority charged that the real reason was not cost, but an effort to hold the deliberations of the convention a secret. They charged it was but another effort to muzzle the voice of the minority. The resolution was lost.

The final result of the printing controversy was the adoption of resolution No. 26 by Delegate Lindsey which provided for the printing of one hundred thousand copies of the draft of the constitution, one half thereof to be printed in the English language, all for distribution among the people and voters of the territory.

In his work as a member of the committee on taxation and revenue he seems to have gone along, as a rule, with the majority in framing Articles VIII and IX of the constitution. However, he took issue with his Republican colleagues on the matter of assessment. He favored assessment for taxation nearer to its actual value than the majority of the committee. He said that "it is very poor advertisement for New Mexico to have it go abroad that the taxable assessment of New Mexico is less than \$60,000,000 when it should exceed \$300,000,000." He favored a state commission empowered to "equalize the levy and assessment of 'taxes,'" but had to be content with the provision that the legislature might create one at a later time.

The function of the committee on public buildings and institutions was largely to approve the institutions as they already existed under the territorial government, both as to location and as to administration. In Article XIV, which it composed, the committee agreed to accept federal lands or other grants and donations for these institutions. Lindsey's role on this committee was a matter of approving current policies and conditions.

The work of the constitutional convention was not left entirely in the hands of the standing committees. There were discussions from the floor; influence was exerted upon committees other than the ones of which the delegates were members. In these deliberations, Lindsey took an active part; on some of them, he left his impressions. He was particularly interested in such progressive measures as the



initiative, referendum, recall, woman's suffrage, and elective state officers. He favored benefits for his east-side constituents—such as tax relief and underground water rights for farmers, and an educational institution for those who wished higher education in their home area. Prohibition was another cause that received his interest and support.

In a large measure, Lindsey's efforts for these progressive measures were in vain, but not entirely so. It is true that no initiative or recall provisions were incorporated into organic law, but into that organic law went a modified referendum clause.

Kansas City, Mo.

In the matter of the promotion of woman's suffrage, in any form, Lindsey also was in the minority of his party. The result of the controversy, as far as the organic constitution was concerned, was that women received the right to vote at school elections, provided that they possessed the same qualifications as the male electors; and provided, further, that the right of woman suffrage had not been suspended in the district by a petition against the same presented by the majority of the voters to the board of county commissioners. Lindsey's comment on his part in the framing of that section was that he had "something to do with the provision that women might vote at elections for school officers and be eligible for election to school offices."

In his campaign as a delegate to the constitutional convention, Lindsey advocated a direct primary and many elective rather than appointive state offices. In most of these issues, again, he was at odds with his party leadership at the convention, but he worked for them when the opportunity presented itself. Among other activities, he introduced File No. 58, which provided for a primary election law, an Australian ballot, and a corrupt practice act. These measures were not all incorporated into organic law; but to some extent, Lindsey's influence helped to incorporate a part of them. In his previously mentioned open letter concerning his efforts in the convention, Lindsey wrote that "the reactionaries" or stand patters desired appointive supreme and district courts, an appointive attorney general, an appointive superintendent of public instruction, and an appointive

corporation commission or rather no such commission, in fact that practically all the officers of the state be appointed save only the governor." He concluded his account on this issue by saying, "You're now engaged in the election of all state officers and a corporation commission."

Again cast in a minority role on the matter of prohibition, Lindsey worked unsuccessfully for its adoption in some form at the constitutional convention. He introduced File No. 116 for statewide prohibition; it was referred to the committee on education which took no action concerning it. Later a proposition was offered by Delegate Frank W. Parker providing that upon a petition of one third of the voters of a county, the question would be submitted to a vote. The convention voted down the Parker proposition by a vote of forty-eight to forty-two.

Although not considered one of the leading delegates, compared to the average of the one hundred members present, Lindsey contributed more than his share to the creation of the organic charter. His devotion, his sincerity, and his untiring efforts at the convention were apparent in helping to frame a suitable constitution for the state of New Mexico.

*(To be continued)*

## CRISTÓBAL DE OÑATE

By AGAPITO REY\*

WHEN Don Juan de Oñate set out in 1598 on his expedition to New Mexico, he took along his only son Cristóbal, then a "niño de tierna edad." Don Juan gave him the rank of lieutenant and put him under the tutelage of the sargento mayor, Vicente de Zaldívar, according to Villagrà.<sup>1</sup> Cristóbal accompanied his father on the northern expedition in 1601, but no mention is made of his activities.<sup>2</sup> The name of Oñate's son rarely appears in the voluminous documents dealing with the founding of New Mexico, an indication that he was not of much assistance to his father in his enterprise.

In 1607 both Oñate and his soldiers were impoverished and unable to carry on without aid from the crown, and at the suggestion of his men Don Juan resigned his office as governor of New Mexico. His letter of resignation reached Mexico in August of 1607, and the Viceroy began at once to look for some one properly qualified to replace him. As a stopgap the Viceroy appointed as governor a Juan Martínez de Montoya, who was already in New Mexico. But when he presented his patent before the Cabildo (city council) he was rejected because he was not a soldier, and for other reasons they did not care to make public. Then the Cabildo re-elected Don Juan de Oñate to the post he had relinquished, and when he declined the appointment, the Cabildo in open session, at the recommendation of the commissary of the Franciscans, Father Escobar, elected Don Cristóbal de Oñate to the post vacated by his father as governor of New Mexico.<sup>3</sup>

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1. *Historia de la Nueva Mexico*, Canto VI. In Canto XXIV, Villagrà says that on first reaching San Gabriel, Oñate sent his son Cristóbal as a messenger to bear the good tidings to Vicente de Zaldívar who was bringing up the rest of the army, and that captains Quesada and Villagrà accompanied the youth. See G. Espinosa's translation, *The Quivira Society Publications*, IV, 75, 205.

2. In the true report of this expedition (December 14, 1601), we read that Cristóbal de Oñate was one of the men in the party, and with others he signed attesting the accuracy of the report. His presence in the expedition is not otherwise noted. This document and all others mentioned in this article are included in George P. Hammond and Agapito Rey, *The Founding of New Mexico*, Coronado Historical Publications, vols. V and VI, now in press.

3. Letter of Don Luis de Velasco to the king, February 13, 1609 (A. G. I.,

This election by the Cabildo was communicated to the Viceroy, with the request that it be confirmed or the appointment be made anew. Requested also was a salary for the governor, and immediate aid for the new colony if it were to survive. The Viceroy did not like the arrangement, and as he hoped to find a man of means and experience to fill the post, he asked the fiscal of the Audiencia for an opinion. Fiscal Leoz recommended in strong terms the rejection of Cristóbal's election for the same reasons already advanced by the Viceroy.<sup>4</sup>

Unable to find a wealthy man eager for a governorship, the Viceroy appointed Don Pedro de Peralta, who reached New Mexico in 1609 with instructions to relieve Don Juan de Oñate, and to build at once the city of Santa Fe.

Who governed New Mexico during the year and a half that elapsed between the resignation of Don Juan de Oñate and the arrival of Peralta? The documents seem to indicate that Don Juan continued to hold his office until Peralta arrived to replace him, and there is no indication that either his son or Montoya actually held office despite their appointments. However, in a petition presented years later by Saez Maurigade, a descendant of Montoya, it is clearly stated that Cristóbal de Oñate held office until the arrival of Peralta. It says that on August 9, 1608, Martínez de Montoya appeared in Santo Domingo before Cristóbal de Oñate, then holding the office of governor and captain-general of New Mexico, and that on the following day, August 10, Cristóbal certified Montoya's supplementary statement of services. It also states that in the period of 1606-1607 Martínez de Montoya took part in an expedition led by Cristóbal de Oñate against the Apaches who had been bold enough to attack San Gabriel. Montoya may have actually secured the signature of young Oñate, considering him as the legal governor

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58-3-16). The Cabildo and the soldiers discussed the matter and "concluded that, to save the situation, the governor should resign his post" (August 24, 1607).

4. The fiscal recommended that under no circumstances should the governorship of New Mexico be transmitted to Oñate's son, "since the said don Crisóbal, his son, is a youth lacking in age and experience, of whom it is said that he hardly knows how to read and write, he cannot have the authority necessary to establish and guide matters there" (February 2, 1609).



when his own appointment was rejected by the Cabildo.<sup>5</sup> Be that as it may, we have no other documentary evidence to prove that young Cristóbal actually governed New Mexico, or that he ever led any expedition. In his appointment and instructions, Peralta is sent to relieve Don Juan de Oñate; the name of Cristóbal is not even mentioned.

What became of Cristóbal de Oñate after his father Don Juan gave up the governorship of New Mexico? The late L. B. Bloom says that he was killed in 1610 when his father's party was attacked by the Indians as he was returning to Mexico.<sup>6</sup> He cites no documents to support his assertion, nor have we found any thus far. Cristóbal must have died shortly after his father gave up his governorship and returned to Mexico, but of natural causes. Had he been killed in New Mexico, the documents could not have failed to state it. Don Juan when answering charges brought against him in his *residencia*, and in his appeal to the crown for compensation for his expenses and sacrifices, never once mentions the loss of his son or the latter's services to his majesty. He recalls the services of his forefathers, his expenses and hardships, and the loss of his nephew Don Juan de Zaldívar, killed at Acoma, but he says not a word about

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5. His petition reads: "D. Saez Maurigade, vecino de esta corte, sobre que se le incluya en la descendencia directa del capitán D. Juan Martínez de Montoya, descubridor, conquistador y poblador que fué en las Américas y gobernador del Nuevo Mexico." It was quoted at length by F. V. Scholes in *NEW MEXICO HISTORICAL REVIEW* (1944), XIX, 337-342. From this and other documents cited above Scholes concludes that Cristóbal de Oñate governed New Mexico for more than a year after the resignation of his father, before the arrival of Peralta. Similar conclusion had been reached earlier by George P. Hammond, *Don Juan de Oñate*, 172-178. Fiscal Leoz suggests that much when he states: "His majesty cannot in conscience continue the government in charge of the said Don Cristóbal when so many obstacles stand in the way." Cristóbal is also listed as governor of New Mexico by L. B. Bloom, *N. M. HIST. REV.*, X, 154; and he adds that Cristóbal acted as governor in 1604 while his father, Don Juan, was on his expedition to the Gulf of California. He cites no documents to support his assertion. However there is a "Petición de los pobladores de la villa de San Gabriel del Nuevo Mexico a don Cristóbal de Oñate," December 1, 1604 (*A. G. N.*, t. XXVI, p. 139). This petition, signed by nineteen men, requests the expulsion of Juan López de Olguín from San Gabriel, "por causas bastantes." It must have been the result of some trivial disagreement, as Olguín is allowed to move to Santo Domingo to be in the escort of Fr. Juan de Escalona, who suggested the petition in the first place. It is clearly stated that Olguín "no va desterrado ni por delito alguno." Don Cristóbal granted the petition.

6. *N. M. HIST. REV.*, XII, 175. H. R. Wagner, *The Spanish Southwest*, Quivira Society Publications, VII, 222, says also that he was killed in 1609 or 1610. However, he admits that he has never seen any document to support his statement.



his son, which means that he had not much to say about him that would help his own cause.

Upon his return to Mexico Don Juan had to stand a *residencia* on his conduct of the conquest and government of New Mexico, as was required of all high officials at the completion of their tenure in office. Oñate had been accused of various crimes by some disgruntled soldiers and, after years of legal maneuvers, in 1614 he was found guilty on some counts and sentenced to pay a fine of 6,000 pesos, to perpetual banishment from New Mexico and from Mexico City for five years, and the loss of his title as Adelantado. Oñate paid the fine and then started on the long tortuous road to appeal and vindication.<sup>7</sup>

In 1622 we find Don Juan in Spain trying to obtain the removal of the disabilities imposed on him eight years earlier. By now his five year banishment from Mexico City had expired, but the perpetual banishment from New Mexico and the suspension of his titles were still in force. On April 6 of this year, 1622, the Council of the Indies recommended the removal of these disabilities.

Oñate left no stone unturned to obtain vindication. As part of his campaign he promoted the compilation of a book of poetry in memory of his son Cristóbal. This book entitled *Canciones lúgubres* was published in 1622.<sup>8</sup> It was assembled by Francisco Murcia de la Llana, who relieved his father of the commission he had been appointed to do. He says that he accepts his task in order to repay in a small measure the many favors his father owed the illustrious families of the Oñates and the Zaldívars. Furthermore it was proper that a young poet should sing the glories of a young dead hero.<sup>9</sup>

The poets must have been briefed as to what they were to say in their compositions, since they all repeat the same

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7. The document containing the sentences imposed on Oñate and his captains is found in the volumes mentioned in note 2.

8. For the description of this rare bibliographical item see H. R. Wagner, *The Spanish Southwest*, VII, 222-223. The only known copy is now in the Jones collection in Brown University Library; the Bancroft Library has a photostat copy, which I utilized for this article.

9. Murcia includes also a poem in memory of Villagr , who had died in 1620 while on his way to Guatemala to assume his post as alcalde mayor of Zapotitlan. It was perhaps Villagr  who helped Oñate to contact the literary world. Villagr 's rime

uninspired platitudes. One of Murcia's poems is a "Discurso figurativo," in which the gods assemble to crown the illustrious youth. In another poem, an *Alabanza* imitated from Ovid's fable of Phoebus and Phaeton, he compares the Oñates with these mythological characters, but in this case, Cristóbal is able to control the reins of the chariot of state (sun). Murcia speaks in glowing but vague terms of the heroic deeds of young Oñate. He fell, not because of his lack of ability, like Phaeton, but because of Death's envy. While Don Juan lost his only son, he still finds solace in a daughter, Doña María, married to her cousin, Vicente de Zaldívar, who served his uncle as sargento mayor and maese de campo in the conquest of New Mexico.

The Murcias had been official correctors of books for the Council in Madrid so long that some wits asked whether they would ever come to an end. In their official capacity they were well acquainted with the writers at the Spanish court and it was not hard for young Murcia to find poets to sing the praises of young Cristóbal de Oñate.

There are ten other contributors to *Canciones lúgubres*, recruited among those whose books the Murcias had seen through the press.<sup>10</sup> The best known among them is Alonso de Salas Barbadillo, a writer of clever picaresque novels interspersed with poems. He contributed a *silva* in whose title he says that Cristóbal died at the age of twenty-two in

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chronicle of the expedition was published in 1610 in Alcalá, and it contained laudatory poems by some of the same men who collaborate in *Canciones lúgubres*. Among others there is a poem in Pindaric verse by Tribaldos de Toledo, in which he sings the praise of Oñate's son:

Of Don Cristóbal, worthy son,  
He who through many combats won  
For Spain, Galicia the new.  
Adding a kingdom by his hand  
To the noble Mexic land,  
All honor to him is due.

But Tribaldos seems to confuse young Cristóbal with his forebear of the same name, one-time governor of New Galicia and supporter of Coronado. See Villagrà, *Historia de la Nueva Mexico*, translated by G. Espinosa, Quivira Society Publications, IV, 33, 37; G. P. Hammond and A. Rey, *Narratives of the Coronado Expedition*, p. 35.

10. Other poets included are: Francisco Cascales, Sebastián de Lirio, Luis Tribaldos de Toledo, Licentiate Nicolás Davilana, Dr. Francisco Yáñez, Alonso de la Mota, Alonso de Salas Barbadillo, Fr. Ambrosio de Herrera, Diego Manuel and Licentiate Francisco de Herrera Maldonado. Bibliographical data on these men is found in Pérez Pastor, *Bibliografía Madrileña*, and in standard histories of Spanish literature. In this article we are not discussing the literary aspect of *Canciones lúgubres*.

the conquest of New Mexico. His age is given variously as twenty-two to twenty-four.<sup>11</sup>

In this volume are found two well known Spanish humanists: Francisco Cascales and Luis Tribaldos de Toledo. The first was from the city of Murcia, the same as the collector of this volume, who was named after this city. Cascales' poetic device consists in being transported to New Mexico by Melpomene, who shows him what Don Juan has conquered for Spain, and the ancestors of Cristóbal, who are bemoaning his demise.

The erudite Tribaldos speaks of the rise to Heaven of the innocent soul of young Oñate. "His death left Spain, and particularly Cantabria, in mourning." It is all generalities, valueless as poetry or history. Tribaldos is the most famous humanist of the group, and the one most closely identified with American matters. He was named Chronicler of the Indies after the death of Antonio Herrera in 1625. He wrote a *Vista general de las continuas guerras; difícil conquista del Gran Reyno y provincias de Chile* (1625). We find laudatory poems by him in several books of his day. He contributed a sonnet for the *Milicia y descripción de las Indias* (1599) by Bernardo Vargas Machuca. He edited the poems of Francisco de Figueroa, and gave the approval for the publication of the translation of Virgil's *Eclogues* and *Georgics* by Cristóbal de Mesa in 1614. He defended Lope de Vega in the latter's literary disputes.<sup>12</sup>

The apparent purpose of this volume is to honor the memory of Cristóbal de Oñate who died so young, but the real object is to glorify the families from which he descended and thus enhance the prestige of his father, Don Juan de Oñate, who is seeking the restoration of his titles and honors.

11. Salas Barbadillo gives no details in the poem itself. An epitaph at the end of the volume reads: "Hic iacet D. Christophorus de Onnate Indorum terror . . . obijt anno aetatis suae vigesimo secundo." However Diego Manuel prolongs Don Cristóbal's life two more years, saying he died "en años venticuatro." Such is also the age given by Herrera Maldonado:

Y en veintiquatro Apolinares vueltas,  
tus vitorias resueltas,  
vida de un capaz siglo te atribuyen.

12. More details about them can be found in J. García Soriano, *El humanista Francisco Cascales*, Madrid, 1924; M. Menéndez y Pelay, *Historia de las ideas estéticas*, Madrid, 1946, II, 331-333.

The poets all repeat with monotonous accord that he was a descendant of Montezuma, Cortés, Juan de Tolosa and Cristóbal de Zaldívar.

The Oñates had intermarried with the Zaldívars and Tolosas, all powerful families in Mexico and Spain. They had become wealthy exploiting silver mines in Zacatecas, and are praised as founders of this city.<sup>13</sup> Vicente de Zaldívar, nephew and son-in-law of Oñate, is eulogized as the patron of the new Jesuit foundations in Zacatecas.

Wealth and influential family ties smoothed Don Juan's path. His Biscayan relatives and friends were rooting for him. Much of this was brought out in the *Canciones*, which seem to be cut from the same pattern, showing indications of having been written to order, based on information supplied by Oñate himself or his agents. This information must have been very sketchy, limited to the bare facts that Cristóbal accompanied his father Don Juan de Oñate to New Mexico and that he had died young, but without telling when, where, or how. The poets did not know Cristóbal personally, and they had to belabor their imaginations to make it appear that they were bemoaning the loss of a bosom friend.

Oñate's campaign for exoneration proved successful. In 1623 the Council of the Indies recommended that his disabilities be removed. He was appointed inspector of mines, and by 1628 both he and his nephew and son-in-law, Vicente de Zaldívar, were members of the order of Santiago.<sup>14</sup>

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13. In a petition addressed to the king in 1623, Oñate lists the many services his family and himself have rendered the crown. He points out particularly the large sums that have accrued to the royal treasury from the silver mines exploited by the Zaldívars. An English translation by L. B. Bloom was published in *N. M. HIST. REV.*, XII, 180.

14. Captain Cristóbal de Zaldívar in his petition states that "he is a nephew of Don Juan Oñate, knight of the Order of Santiago, conqueror of the provinces of New Mexico, and brother of Vicente de Zaldívar of the same habit of Santiago, who was *maese de campo* in the said conquest where he rendered special services." Published by L. B. Bloom, *N. M. HIST. REV.*, XII, 191.



## DEVELOPMENT OF THE CATTLE INDUSTRY IN SOUTHERN ARIZONA, 1870's AND 80's

By J. J. WAGONER \*

STOCK ranching has always been a frontier industry and has served a place of primary importance in the advancement of western civilization. In the Southwest, two phases of development seem to predominate: (1) the merging of the northward expansion of the Spanish settlements with the westward movement from the Atlantic Coast; and (2) the adaptability of the industry to the arid country which for the first time gave the cattleman an opportunity for land utilization that the agriculturist could not easily supplant. Both phases permeate the entire history of the cattle industry in southern Arizona, but the second became more important with the rapid influx of population after 1872.

Success in ranching after this date was dependent upon the possession of water and an abundance of native forage. The men who located along the rivers and streams controlled the unfenced range and, though they did not own the land or grass, it was understood among neighbors that the appropriation of water entailed the possession of certain range rights.<sup>1</sup>

As background to subsequent development, it should be mentioned that most of the herds in Arizona during the early 1870's were driven in from Texas and California to supply troops and Indians with beef. Advertisements in the *Arizona Citizen* calling for bids indicate that the business was lucrative. On January 27, 1872, for example, bids were asked for the delivery of all the beef and mutton needed by soldiers in Arizona for the year commencing July 1, 1872. It was estimated that 2,000 beeves and 1,000 wethers would be required. A clue as to the importance of the drives is shown in the fact that Lieutenant Colonel M. D. F. Simpson

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1. Walter P. Webb, *The Great Plains*, p. 228.



stipulated that a \$5,000 bond should be posted to assure faithful execution of the contract.<sup>2</sup> In May of the same year appeared the request of the Superintendent of Indian Affairs that bids be sent for supplying approximately 75,000 pounds of beef cattle for immediate slaughter.<sup>3</sup>

Under fair circumstances, these contracts would have resulted in profitable operations. However, the returns from the occupation were not so great as one might expect. Indian and Sonora thieves wreaked such depredations on the herds of the contracting firm of Hinds and Hooker that there was a deficit for the fiscal year ending June 30, 1871. Furthermore, several of the herders were killed.<sup>4</sup>

Another difficulty arose over the failure of Congress to appropriate enough money to pay for the beef furnished the Indians. It is certain that the government peace policy would have been jeopardized if enterprising men such as H. E. Hooker had not managed to supply the needs of the reservations as well as the public demand.<sup>5</sup>

Meanwhile the fame of Arizona's unequaled grazing facilities had been widely spread. Hundreds of emigrants were coming into the new cow country to begin an experimental exploitation of the luxuriant grasslands, which would eventually culminate in the deterioration of the range.

Though very little livestock found a market outside the territory in the 1870's, there is evidence of there having been much activity. The *Citizen* frequently reported shipments of hides by wagon trains to the railroad terminal at Yuma. The July 17, 1875, issue listed a shipment by Tully, Ochoa and Company of two hundred hides, and it was estimated that 5,000 hides had been shipped from Tucson alone during the first half of the year.<sup>6</sup>

In 1877, Governor A. P. K. Safford stated that stock raising had become one of the leading industries, with thousands of cattle having been imported from neighboring states and

2. *Arizona Citizen*, January 27, 1872.

3. *Ibid.*, May 11, 1872.

4. *Ibid.*, January 27, 1872.

5. *Ibid.*, July 5, 1873.

6. *Ibid.*, July 17, 1875.

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1875

territories.<sup>7</sup> Drouth conditions in California had caused the shipment of cattle from that state. The reduction of railroad rates to Yuma for suffering stock, not fat cattle, expedited the movement. From Yuma the animals, many of good American breed, were brought up the Gila and spread over the valleys of southern Arizona.<sup>8</sup>

Thus, from about 1876 to 1880 the cattle business extended rapidly. Although the largest individual herd was Hooker's Texas cattle, the majority of the cattle were of the Mexican breeds, handled in small herds by Mexican *rancheros*.<sup>9</sup>

The pioneers soon learned that the tablelands, foothills, and valleys would never be used extensively for any purpose other than grazing, and that agriculture would be confined to valleys bordering the streams. In a paper of this nature, it would not be feasible to expand fully on a technical description of the vegetation which attracted settlers in the 1870's. However, some knowledge of the botanical conditions is necessary for a thorough understanding of the range cattle industry.

Prior to the introduction of large herds, there was an abundant plant growth everywhere.<sup>10</sup> On the high plateaus pine, brome, and western wheat grasses formed a continuous covering on the ground. In the canyons and over the foothills which surround the numerous mountain ranges were copious vegetation consisting mainly of the renowned grama (white grama, *boutelona oligostachya*, predominated in valleys and on the high tablelands) and mesquite grasses. Shrubs and bushes, filled with tangled growths of black grama (*boutelona erispoda*), were found everywhere.

Below altitudes of four thousand feet, Indian wheat and other winter annuals thrived, and the so-called "six weeks"

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7. Message of Governor A. P. K. Safford to the Eighth Legislative Assembly of the Eighth Territorial Legislature of Arizona, January 6, 1875; and to the Ninth Legislative Assembly, January 1, 1877.

8. *Arizona Citizen*, April 28, 1877.

9. Clarence W. Gordon et al., "Report on Cattle, Sheep and Swine, Supplementary to Enumeration of Livestock on Farms in 1880," *Tenth Census of the United States*, 1880, p. 93.

10. J. J. Thornber, *The Grazing Ranges of Arizona*, University of Arizona Agricultural Station Bulletin No. 65 (September 21, 1910), p. 335.

grasses furnished summer and fall plants. In the moist valleys, tall sacaton grasses (*muhlenbergia distichophylla*) predominated and provided a protective soil covering which prevented erosion by obstructing the run-off of water. Many of the older settlers can remember when these flood plains were intact and were characterized by rich grasses instead of the scattered sage, greasewood, or mesquite so common today.

The deterioration of Arizona's ranges seems to have been contemporaneous with the development of ranching. Cattle invariably cause erosion by destroying vegetation and by forming channels for the passage of water.<sup>11</sup> The primary objective of cattlemen up to 1885 was numbers; overstocking was the inevitable result of unrestricted use of the federal range for grazing purposes.

The formation of the arroyos in southern Arizona valleys is spread over considerable time, and details of the process have seldom been recorded. But the change from aggradation and the building of flood plains to channel-trenching can be placed in the 1880's in most of the important valleys, though many tributaries were not affected until the 1890's. Since the changes were initiated at slightly different times in the various localities, it seems imperative to trace the early development of the cattle industry in each of the main areas of settlement.

The Santa Cruz Valley was the center of the first American occupation. In 1869, at the time Hooker had left cattle with the Papagos on the Baboquivari range, the firm of Marsh and Driscoll brought four hundred Mexican cattle from Sonora to a point on the Santa Cruz below Tucson, where Indian and Mexican thieves took a heavy toll. By 1870 more than a dozen Mexicans were each running from twenty to seventy-five head of cattle in the valley. Three years later Don Sanford took up a water claim near Pantano and stocked it with several hundred head from Texas.<sup>12</sup>

In that year it was estimated that there were at least

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11. James T. Duce, "The Effect of Cattle on the Erosion of Canyon Bottoms," *Science*, XLVII, No. 1219 (May 10, 1918), p. 451.

12. Gordon, *op. cit.*, p. 93.

two thousand head of horned cattle from Tucson to Sahuarita, a distance of about twenty miles.<sup>13</sup> In the former town, plans were maturing for the growing of stock in the surrounding territory on a large and permanent scale. E. N. Fish and D. A. Bennett, for example, made claim to a valuable stock site forty miles south and a little east of Tucson.<sup>14</sup> By 1880 most of the old Mexican sites had been re-established, and nearly every water claim adaptable to the business had livestock. The largest ranches were American, running on the average from 500 to 800 cattle each. However, the majority of cattle owners were Mexican.<sup>15</sup>

The grasslands occupied during the 1870's in the Santa Cruz Valley had a thick growth of sacaton and other vegetation which prevented the cutting of channels as the water spread out during times of flood in a thin sheet over the whole valley, doing no damage. Tules (bulrushes) grew in boggy places, and large mesquite trees helped to protect the soil.<sup>16</sup> But as cattle were brought in, the range was overstocked and unable to stop either the floods or the resultant process of erosion after the mid-1880's.

Brief mention should be made also of settlements in regions near the Santa Cruz. To the west were isolated ranches along the Arivaca Creek, the adjacent mesa lands and foothills having been almost untouched before 1880. In the early 1870's a Doctor Wilbur had about two hundred cattle there, and Pedro Aguirre had a small herd. In 1877, N. W. Bernard began dividing his time between a small ranch and a country store at Arivaca. A year later John W. Bogen arrived and formed a partnership with Bernard which eventually evolved into the Arivaca Land and Cattle company.<sup>17</sup> In the nearby Sopori area, Juan and Tomas Elias

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13. *Arizona Citizen*, October 4, 1873.

14. *Ibid.*, October 18, 1873.

15. Gordon, *op. cit.*, p. 95.

16. See Kirk Bryan, *Erosion and Sedimentation in the Papago Country, Arizona*, U. S. Geological Survey, *Bulletin* No. 730, 1922, p. 177; Volney M. Spaulding, *Distribution and Movements of Desert Plants*, Carnegie Institution of Washington *Publication* No. 113, 1909, p. 9; and *Sen. Doc.* No. 973, 62 Cong., 3d Sess., pp. 3-32. For a description of the Santa Cruz flood plain about 1700 see Herbert E. Bolton, *Kino's Historical Memoirs of Pimeria Alta* (ed. 1919), I, pp. 122, 173, 205-206, 236.

17. Gordon, *op. cit.*, p. 95; Richard H. Williams, "History of the Cattle Industry in Pima County," *Proceedings of the Thirteenth Annual Meeting of the Arizona Cattle*



had between six and seven hundred cattle in the 1870's, and Bustamente had fifty or sixty.<sup>18</sup> Farther up the Santa Cruz Valley, the outfit of Pusch and Zellweger began operation about 1874 in the west foothills of the Catalinas at Steam Pump, north of Tucson.<sup>19</sup>

Other development occurred east of the Santa Cruz where several Mexicans were located. In the Rincon district Emilio Carrillo had over four hundred cattle on the Tanque Verde, and Joaquin Tellez grazed a herd in the Rincon Mountains. Manuel Amado was also a prominent cattleman in the district, the town of Amado being named after him.

The Rillito Valley (a tributary of the Santa Cruz) is another region which was once covered with a good growth of grass. The river course was indefinite and lined by an almost continuous growth of cottonwood, ash, walnut, and willow trees. These conditions prevailed until after 1872 at which time the United States Army post was moved from Tucson to Ft. Lowell, near which natural grass could be cut for hay. A few years of such cropping, as well as overgrazing by cattle that were brought in during the 1870's, resulted in the destruction of root grasses. The general effect of settlement was to increase the rapidity of run-off and thus the length of dry seasons. The stage was set for the drastic erosion of the 1890's.<sup>20</sup>

East of the Santa Rita Mountains is a broad, rolling tract bounded by the Sierra Colorado on the north, the Whetstone Mountains in the east, and the Patagonia and Huachuca chain on the south. This was the second general area of occupation. The region has few streams of consequence, but is fortunate in having permanent water at the base of the Santa Ritas. There are also many scattered natural reservoirs which temporarily hold rain water.

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*Growers' Association*, 1920, p. xi. For change in the flood plain of Arivaca Valley, contrast reports of Lt. Michler (Wm. H. Emory, *Report on United States and Mexican Boundary Survey*, 1857, I, p. 119) and Major David Ferguson (*Sen. Exec. Doc. No. 1*, pp. 1-22, 1863) with that of Bryan, *op. cit.*, p. 342.

18. *Ibid.* p. xi.

19. *Ibid.*

20. George E. P. Smith, *Groundwater Supply and Irrigation in the Rillito Valley*, University of Arizona Agricultural Experiment Station Bulletin No. 64 (May 12, 1910), pp. 97-98.

Never-failing springs insure a supply during periods of drouth. So in spite of the harsh winter winds and the powerful summer heat, several of the largest cattle ranches of the territory were located on these *ciénega* lands. Among them were the Empire Ranch which in 1880 grazed over five thousand cattle, and the Cienega Ranch where about a thousand cattle were kept along with twenty-three thousand sheep.<sup>21</sup>

The Empire was started in 1876 when Walter L. Vail and H. R. Bishop bought the small Fish Ranch near Ft. Crittenden.<sup>22</sup> The ranch consisted of only 160 acres at the time, with a four-room adobe house and a large corral which was built with adobe walls eighteen inches thick. A young English investor named John N. Harvey soon joined the firm, which was then called Vail, Hislop, and Harvey. The neighboring stockmen gave it the sobriquet "English Boys" since Hislop was also from England.

One of their first land purchases arose from an inherent dislike for sheepmen. Some sheep were located two miles east of the ranch in the Cienega Valley, and the new firm bought both the land and stock in order to be rid of the neighbor. The sheep were traded to one "Yankee Miller" as part payment on eight hundred Texas cows which the trader had driven from the Pecos Valley in New Mexico.<sup>23</sup>

Edward L. Vail, Walter's brother, described the Cienega region around Pantano as being a succession of meadows thickly covered with sacaton and salt grass in 1880. The mesquite had not yet taken over the country, but grew in the gulches and checked erosion.<sup>24</sup>

The valley of the Sonoita (a tributary of the Santa Cruz) and the Babocomari (a tributary of the San Pedro) were also favored with natural reservoirs. The former had several partially irrigated farms which furnished neighboring mines with grain and hay.<sup>25</sup> The Babocomari Valley proved

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21. Gordon, *op. cit.*, p. 95.

22. *Arizona Citizen*, August 26, 1876.

23. See the Vail file in the Arizona Pioneers' Historical Society.

24. See *Reminiscences of Edward L. Vail*, in ms. form at the Arizona Pioneers' Historical Society.

25. Gordon, *op. cit.*, p. 95.

very suitable for stock because of its excellent grass and plentiful water supply.

By 1880 the San Pedro Valley, extending north from the Sonora line to the Gila River, was occupied by scattered herds belonging mainly to Mexicans, Mormons, and cattlemen from Texas and California. The Mexicans brought a number of small herds about 1873-1874, and the Mormons with a few dairy animals established a colony below the Tombstone crossing in 1876.<sup>26</sup> About three years later Dan Murphey, one of the biggest California cattle owners, reached the lower San Pedro with a fine herd consisting mainly of Durhams and Devons. These animals, which numbered about three hundred in 1880, were shipped to Yuma and thence driven overland to the ranch near Mammoth. Murphey intended to use them for improving the Mexican longhorns on a large land grant which he had recently purchased in the State of Durango, Mexico, but the Pesquero trouble in that country changed his original plan. Walter L. Vail paid \$100 (a considerable amount then) for one of the bulls,<sup>27</sup> and the entire herd was sold shortly afterward. In 1880 the holdings in the San Pedro were mostly of from fifty to 250 head each, the notable exceptions being two Texan herds, one of 2,500 in the Mule Pass and the other of 3,600 on the Babocomari Ranch located on the tributary of the same name.<sup>28</sup> The first was owned by John H. Slaughter, who later moved to San Bernardino Springs.

Erosion came later in the San Pedro Valley than in most of the others. Progressive deterioration began in the 1880's, and by 1892 the head water fall of the river had cut the boundaries of the San Juan de las Boquillas y Nogales grant. The valley, originally covered by sacaton grass and groves of trees, was changed into a forest of mesquite by the arroyo-cutting process.<sup>29</sup>

In the southeastern part of the territory west of the Dos Cabezas and Chiricahua Mountains was another center

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26. *Ibid.*

27. See *Reminiscences of Mr. E. O. Stratton*, ms. Arizona Pioneers' Historical Society; also *Reminiscences of Edward L. Vail*, *op. cit.*

28. Gordon, *op. cit.*, p. 95.

29. Bryan, *op. cit.*, p. 341.

of settlement. The Sulphur Springs Valley, about twenty miles wide and fifty to sixty miles long, was known as "Playas de los Pimas" in Spanish records. In 1880 the valley was described as being particularly adapted to the grazing of range cattle because of its location, climate, abundance of forage, and freedom from the damaging brushy chaparral. The only drawback was the deficiency of water, but by the above date the natural springs and *ciénegas* were furnishing sufficient water for over eighteen thousand cattle. The ranch sites were usually ten to fifteen miles apart and located in the foothills of the mountain chains surrounding the valley; the extent of the ranges was determined by the possession of water that controlled all nearby grazing.

Among the early settlers who took up water claims and commenced operations between 1873 and 1878 were Brannick Riggs and the firm of Steele and MacKenzie, each having several hundred cattle of the Texas breed.<sup>30</sup> Though Mexican cattle were more numerous, the largest single herd in 1880 was that of Colonel Hooker on the Sierra Bonita; it consisted of some 5,500 head, mainly Texans. Hooker was undoubtedly the cattle king of his day, having gotten his start through government contracts. His ranch, established in 1872 north of the Chiricahua Indian Reservation some ten miles from Camp Grant, comprised approximately twenty-five square miles of rolling valley and mesa lands.<sup>31</sup>

Hooker early saw the value of improving his breeding stock and of raising supplemental feed. By 1874 he had sown considerable blue grass and clover seed, and stacked two hundred tons of fine clover hay.<sup>32</sup> The construction of strong corrals and windmill in 1876 furnish further examples of the initiative of this enterprising cattleman.<sup>33</sup>

Perhaps the least desirable area of settlement was that which extended westward from Agua Caliente for some thirty miles along the lower Gila. In 1880 not more than eight hundred meat cattle grazed on the impoverished

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30. Gordon, *op. cit.*, p. 96.

31. *Arizona Miner*, December 7, 1877; *Arizona Citizen*, December 19, 1874.

32. *Arizona Citizen*, December 19, 1874.

33. *Ibid.*, August 12, 1876.



ranges there. These animals belonged to some half dozen settlers located at the most favored spots near the river banks where the only permanent water was available. The majority of animals which fed on the "six weeks" gietta and salt grasses interspersed between frequent mesas of sand and gravel were full of half-breed Mexican cattle, though one California herd was imported in 1877. Really only the small, hardy Mexican cattle could thrive on the desert border. The stock were often reduced in numbers by alkali present in the water or salt grasses, and by Indian thefts. One rancher who transferred his 350 cattle from the Gila to southeastern Arizona reported the Indians had stolen many of his animals.

Before about 1880 the Gila channel from the Santa Cruz junction to Yuma was narrow, with firm banks bordered by cottonwoods and willows, but by the early 1900's it occupied a sandy waste from a quarter to a half-mile wide.<sup>34</sup> Mr. John Montgomery, an Arlington rancher, attributed the change to the practice of cattlemen of burning the heavy brush that once covered the banks in order to drive out wild cattle. Thus the unprotected surface was exposed to rapid erosion.

In summarizing the evidence presented for the different valleys, no conclusion can be reached except that the range country was misused. David Griffiths, the botanist of the Arizona Agricultural Experiment Station, sent a circular letter to cattlemen of the Territory in 1901 corroborating the contention that the public ranges of southern Arizona were once comparatively productive, and that deterioration accompanied overstocking.<sup>35</sup> It is unfortunate that little was known about conservation in the early days.

It was during the early 1880's that most of the better grazing lands were apportioned and the Arizona ranges became fully stocked. The completion of the Southern Pacific Railroad through Arizona in 1881 opened up the country to

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34. Clyde P. Ross, *The Lower Gila Region, Arizona—A Geographical and Hydrologic Reconnaissance with a Guide to Desert Watering Places*, United States Geological Survey Water Supply Paper No. 498, pp. 64-67, 94-95, 1923.

35. David Griffiths, *Range Improvement in Arizona*, United States Department of Agriculture, Bureau of Plant Industry Bulletin No. 4, 1901, p. 9.

capitalists at home and abroad.<sup>36</sup> Thousands of cattle were subsequently imported from Mexico, Utah, and Texas.

Shipments from the latter state were especially numerous because of the enactment of the Texas land laws of 1879 and 1883, which initiated a mandatory leasing system providing for the payment of nominal fees; the new system was criticized adversely by stock raisers who preferred free and unrestricted grazing farther west. The only check on the Texas movement resulted from apprehension over the prevalence of Texas cattle fever in the summer of 1884.<sup>37</sup> It was feared that the disease might be communicated to the cattle of the territory. The acting governor of the Arizona territory therefore forbade the admission of Texas cattle for a limited period.

Statistics given in the annual reports of the territorial governors show that the number of cattle increased greatly in the southern counties of the territory.<sup>38</sup> But several years elapsed before a surplus was available for export. Not until after the boom collapsed in 1885 was the railroad utilized for marketing beef outside the territory. Before that time, railroad construction companies, government posts, miners and local butchers furnished the principal markets for animals which were sold.<sup>39</sup> In 1881, for example, three-year-old cattle were worth, on the average, \$15 per head; two-year olds, \$10 per head; and yearlings about \$6.<sup>40</sup> By 1883 the average price had advanced to \$30.

As indicated above, the time of reckoning arrived in 1885. Overstocking the range had destroyed the grass to the point that the severe summer drouth of that year resulted in a heavy mortality among cattle. With drastic losses facing them, a group of cattlemen, headed by Dan Ming, met at Willcox to pray for rain as a general air of discouragement fell upon the territory.<sup>41</sup>

36. *Report of the Governor of Arizona to the Secretary of Interior*, 1893, p. 21. Other reports of the governor cited in this paper were likewise made to the Secretary of Interior.

37. *Ibid.*, 1884, p. 524.

38. *Ibid.*, 1881, *et. seq.*

39. J. Wayne Stark, *Marketing Arizona Beef Cattle*, p. 2. University of Arizona thesis. Also see *Clifton Clarion*, November 25, 1885.

40. *Report of the Governor of Arizona*, 1881, p. 927.

41. Will C. Barnes, "Cowpunching Forty Years Ago" (Address before the

A drop in prices added to disastrous conditions. Cattle that had been valued at from \$30 to \$35 sold for \$10 or less in 1885. On November 25, 1885, the Cameron brothers shipped six hundred three- and four-year-old graded steers, averaging 1,100 pounds, from the Huachuca Station.<sup>42</sup> The average price of \$27.50 was low, considering that most of the animals were high grade shorthorns; but the dry and depleted ranges necessitated a sweeping reduction of stock. F. H. Watts and many others were forced to follow the same policy of selling their steers as feeders at greatly reduced prices to California, Kansas, and Montana purchasers. The long drouth was general and affected all. Cattlemen would often pool their stock for sales volume. Such was the case with Atchley, Crowley, Meliz, and Acton who in December, 1887, drove 500 head of cattle to Tucson from the San Pedro Valley for shipment to Los Angeles.<sup>43</sup>

The result of this heavy marketing was the removal of all fat cattle from the range by June, 1886. Since that time the ranches of southern Arizona have been devoted to breeding purposes. An agreement recorded with the county recorder on May 23, 1887, illustrates the changed range policy. D. A. MacNeil and F. L. Moore transferred their stock and the S. U. brand to Jacob Scheerer for five years on the condition that when practicable the male cattle should be sold and the proceeds used in the acquisition of female stock.

Until 1892 the generally accepted policy was to retain all she stock and sell range-grown three-year-old steers. At that time, however, northern buyers refused to accept the three's unless the two's could also be purchased.<sup>44</sup> In 1890 the average age of marketed range cattle was 2.18 years. Ten years later it had been decreased to 1.63 years.<sup>45</sup> The

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Twenty-fifth Annual Convention of the Arizona Cattle Growers' Association), *Weekly Market Report and News Letter*, X, No. 6 (February 10, 1931).

42. *Arizona Daily Star*, November 25, 1885.

43. *Tombstone Prospector*, December 17, 1887.

44. Colin Cameron, "Report on Cattle," *Report of the Governor of Arizona*, 1896, p. 22.

45. Address of Richard H. Williams, "Quality versus Numbers in Range Cattle," *Proceedings of the Ninth Annual Meeting of the Arizona Cattle Growers' Association*, 1916, p. 38.

age has been lowered until now the raising of calves or yearlings is followed almost altogether.

With the dependence of cattlemen on the railroads for transportation, a number of difficulties arose. Not the least important were the high freight rates and the inadequate cattle cars. In 1886 the Atchison, Topeka and Santa Fe offered some help by promising a \$10 per car reduction to points east of Kansas City. Yet rates from various stations in southern Arizona to Kansas City, St. Louis, and Chicago continued to be relatively high.<sup>46</sup>

By 1890 the Southern Pacific Company had decided that the cattlemen of southern Arizona could stand a raise in shipping rates. Tariff schedules to certain California destinations were increased twenty-five per cent. Since cattle were selling at low prices, the ranchmen protested vigorously on the grounds that the animals being shipped were not beef, but yearling steers that required fattening in California before their owners could realize any sizeable return.<sup>47</sup> However, the San Francisco office refused to compromise, undoubtedly thinking that Arizona ranchers were compelled to transport their animals by rail. But such was not the case.

In January, 1890, Walter L. Vail and his new partner from California, C. W. Gates, were advised by their foreman, Tom Turner (who had trailed herds from south Texas to Dodge City), to drive their cattle overland to California. Accordingly on January 29, 1890, the drive began with a herd comprising some nine hundred steers; the venture was precarious, considering the nature of the cattle and the terrain crossed. Near Casa Grande occurred the worst stampede of the journey, some 150 of the herd running away to

46. *Clifton Clarion*, December 16, 1886. The following table shows the rates from various shipping points to the marketing centers:

From	To		
	Kansas City	St. Louis	Chicago
Willcox	\$145.00	\$175.00	\$190.00
Benson	149.50	175.00	194.50
Pantano	151.50	181.50	196.50
Tucson	154.50	184.50	199.50
Huachuca	155.05	185.00	200.00

47. *Tombstone Prospector*, March 24, 1888. Large numbers of such animals were shipped; in 1887 alone the Southern Pacific carried twenty thousand worth \$600,000 from the territory.



the Pima Indian Reservation where their recovery met some opposition. Some twenty-five or thirty were lost for lack of forage before the Warner Ranch was reached. Yet an average of \$4 per animal was saved.<sup>48</sup>

Other resourceful Arizona cattlemen joined the cattle-driving movement in defiance of railroad extortion. In December, 1890, George W. Lang started a herd of one thousand on the journey which he expected would take seventy days in all. With total expenses running between \$1 and \$1.50 per animal, Lang expected to add over \$4,000 to his profit, since the railroad rates were \$90 per car with fifty to sixty cars being required to move the cattle.<sup>49</sup> Colonel W. C. Land, cattle king of Benson, drove three thousand feeders and stockers the same year. He estimated that it was \$3 per head cheaper to drive the cattle than to ship them by rail.<sup>50</sup>

However, the railroads proved more co-operative in other matters. By the early 1890's, for example, they were beginning to introduce improved cars in which cattle could be fed and watered, and the new cars were separated into compartments. An experiment with the new Burton car in 1886 showed an average saving of two days' traveling time from Arizona to Kansas City as well as 135 pounds per head, which at the time represented over \$4. To this amount could be added twenty to thirty-five cents per hundred-weight because of the better preserved condition of the animals.<sup>51</sup> Unfortunately, however, the companies were slow to make general use of the Burton, Newell, and other improved cars.

Even with adequate railroad transportation at fair rates, the plight of the Arizona stockmen would have been serious in the late 1880's. The cattle of Texas, New Mexico, Colorado, and western Kansas were glutting the eastern markets; since a quarantine existed in the northern states

48. Edward L. Vail, "The Diary of a Desert Trail," *Tezasland—The Pioneer Magazine*, VI, No. 7 (May, 1926), p. 5.

49. *Arizona Daily Star*, December 3, 1890.

50. *Ibid.*, December 6, 1890.

51. Letter from Erskine R. Merrill, General Agent of Burton Stock Car Company to Colonel H. M. Taylor, Chairman, Committee of Transportation, Cattle Growers' Convention, Kansas City, Mo.; *House Misc. Doc.* No. 139, 50 Cong., 2 Sess., p. 334.

against animals from the "Lone Star State," the competition was mainly in the East. For that reason the Stock Growers' Association of Southern Arizona in 1887 appointed a committee consisting of John Slaughter, Brewster Cameron, and C. M. Bruce to investigate the possibility of putting a trail through from southern Arizona to Wyoming and Montana.<sup>52</sup> Already in 1886, Carson and Company of Apache County had demonstrated the practicability of such a route by driving 1,800 head of steers to Montana; no difficulty was encountered at any time in securing water and grass for feeding purposes.<sup>53</sup>

Although the committee of three made a favorable report, no large number of cattle was ever sent northward on the hoof. However, there were occasional rail shipments. In 1893, for example, J. M. Holt, a Montana buyer, purchased \$60,000 worth of cattle in the vicinity of Tucson; shipment of the five thousand head was spread over ten days, a train-load of twenty cars leaving each day.<sup>54</sup> Four years later Brady and Levin contracted to supply Frank Benton of Cheyenne, Wyoming, with seven thousand range cattle from the San Pedro Valley.<sup>55</sup> Thus the desperation of cattlemen for markets in the late 1880's resulted in the acquisition of a permanent market for large numbers of livestock.

Two general trends can be noted in the cattle industry during the late 1880's as the result of the depression. First was the tendency toward the consolidation of small holdings into companies; and secondly, the development of artificial water. The Sierra Bonita Land and Cattle Company was formed by H. C. Hooker, M. W. Stewart, and Fred Chamberlain in the Sulphur Springs Valley in 1887.<sup>56</sup> Another similar organization was the Tombstone Land and Cattle Company which began operations in the same year. According to the articles of incorporation, the company was formed to purchase and sell land for cattle ranges and water rights, as well as to raise and market cattle. A third of the \$100,000

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52. *Tombstone Prospector*, April 5, 1887.

53. *Ibid.*, May 19, 1887.

54. *Oasis*, June 8, 1893.

55. *Ibid.*, January 9, 1897.

56. *Tombstone Prospector*, April 5, 1887.

capitalization was subscribed by John Volz, Peter Volz, Joseph Pascholy, Ernst Stom, F. A. Abbott and Adam Bing on May 18 when the articles were signed. Many of the smaller stock growers in the foothills of the Dos Cabezas and Chiricahua Mountains took shares in the Washington Cattle Company of West Virginia.<sup>57</sup> The Arivaca Land and Cattle Company was also an example of the consolidations.

With all natural water supplies claimed, cattlemen were compelled to develop artificial sources. By 1888 the Chiricahua Cattle Company had a number of wells from which all the water needed was obtained. The steam pump on their west well drew fifteen thousand gallons an hour; the north well, 125 feet deep, had a twenty-foot windmill; other windmills twenty, sixteen, and fourteen feet in height were being erected on other parts of the range.<sup>58</sup> As early as 1880, ranches in the Sulphur Springs Valley had become destitute of water and various measures were instituted to meet the needs of cattle; wells were dug, natural tanks scraped out, and piping constructed from foothill springs.<sup>59</sup> Much private capital was expended throughout the territory to bring the water into close proximity to grasses, and yet as late as 1893 the territorial governor reported a great mortality among the weaker classes of cattle because of the great distances between food and water.<sup>60</sup>

A new phase of the industry was enhanced in the 1880's, namely, the fattening of cattle within the state. Although the Salt River Valley north of the Gila had been utilized for the purpose as early as 1877, it was not until cottonseed products were available that feeding was conducted on a large scale. Some advances were made in the late 1880's.

Since there was no home market and freight rates were prohibitively high about 1887, alfalfa hay rotted in the

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57. *Ibid.*, March 24, 1888. Large cattle companies which were in existence during the early part of the decade were the San Simon Cattle Company; Tevis, Perrin, Land and Company (Cochise and Pima Counties); Whitbeck Cattle Company (Cochise); Santa Rita Cattle Company (Pima); Calabasas Land and Mining Company (Pima); Whetstone and San Pedro Land and Cattle Company (Cochise); and the Chiricahua Cattle Company (Cochise and Graham).

58. *Ibid.*, December 28, 1888.

59. Gordon, *op. cit.*, p. 97.

60. *Report of the Governor*, 1893, p. 20.

fields. The recently-completed branch line of the Southern Pacific from Maricopa to Phoenix had brought in a few cattle, but the winter was exceptionally wet and the steers improved very little. A year later, however, a number of the more enterprising ranchers sent larger numbers, believing that the alfalfa country could be adapted to the fattening of cattle.

Colonel H. C. Hooker drove twelve thousand young steers to the Hatch Ranch in the fall of 1888 to prepare them for the San Francisco market; he purchased approximately a thousand tons of hay to feed the animals should occasion arise. The expense incurred in driving the herd from Graham County was relatively low—\$395 for barley, hay, and twelve days' labor. Thus it is seen that the more remote sections of the country were accessible to the rich valleys.<sup>61</sup>

In December of that same year, Colin Cameron drove an equal number of cattle to the Maricopa County fields to be fattened.<sup>62</sup> A few days later Walter L. Vail sent seventeen cars of cattle to pasture on lands of the Stinton, Pritt, Lewis, and adjoining ranches near Tempe.<sup>63</sup> Records of cattle shipments from the central Arizona valleys indicate a rapid increase in numbers being fed there.

One of the most encouraging features of the livestock industry in the early days was the co-operation of those engaged in beef production. On August 17, 1878, the Territorial Stock Raisers' Association under the leadership of J. J. Gosper was organized so that mutual aid and information on strayed stock could be rendered to all concerned, ideas exchanged, and a compilation of brand descriptions made.<sup>64</sup>

Another noteworthy feature was the introduction of blooded animals and the grading of cattle. The first cattle brought in were of inferior stock and could perhaps be categorized into three distinct types, exclusive of the mid-nineteenth century "wild cattle."<sup>65</sup> The so-called "Texans"

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61. *Arizona Weekly Enterprise*, November 17, 1888.

62. *Tombstone Prospector*, December 25, 1888.

63. *Ibid.*, December 28, 1888.

64. *Weekly Arizona Miner*, August 23, 1878.

65. Williams, *op. cit.*, p. 37.



of Spanish origin were of mixed colors, though patches of white were quite common; their horns were thin and twisted backward; they were tall, gaunt and long-legged with large hoofs and a thick, coarse head; little use of them for breeding purposes could be made, since crossing with better animals resulted in wild and not very prolific hybrids.

The strictly Mexican animals were smaller than the "Texans," more bony, and also not very easily improved by purebreds; the predominant color was black and white, though brindles as well as buckskin and calico colors were not uncommon. The best cattle available were the "Chino" or "Curly-haired Texans" which were fleshier and better formed, with a smooth conformation and horns of medium size; as breeding animals they were excellent; the Chino's color resembled the brownish hue of the buffalo, though the undercoat had a bluish tinge after the spring shedding of the long, curly hair.

Even with their desirable range qualities, these hardy Mexican cattle were inferior to the standards set by industrious cattlemen. The range system of grazing, where all the stock of all owners grazed in common on the public domain, prevented early and rapid herd improvement since no cattleman wanted to buy bulls to improve his own and his neighbor's herds. But there were scattered and steady importations of better breeds. In 1873 J. W. Roberts of Fort Worth, Texas, brought seven Durhams to Arizona from Lincoln County, New Mexico, along with two thousand other beeves.<sup>66</sup>

Mention has been made of Hooker's imported herds of purebred stock. It is contended by some that he brought the first improved herd into Arizona. Regardless of the truth of the matter, however, it is certain that the Sierra Bonita proprietor was very much interested in better breeds of all kinds. In 1874 and 1876, high-graded bulls of the shorthorn and Devon breeds were brought to the ranch from New Mexico, coming originally from Illinois.<sup>67</sup> For the most part,

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66. *Arizona Citizen*, October 4, 1873.

67. Gordon, *op. cit.*, p. 97.

Hooker considered a good half-breed animal most profitable, since losses in the acclimatization of purebreds were heavy.

In August, 1875, the Saxe Brothers sold two Kentucky shorthorn heifers to G. D. Roberts for \$1,800, one heifer to F. P. F. Temple of Los Angeles for \$650, and one bull to M. P. Manning for \$700. Mr. Mart Maloney also purchased a blooded shorthorn bull from them.<sup>68</sup> Another example of the introduction of purebreds is the acquisition by Marsh and Driscoll of fourteen head of Devon cows averaging \$62.50 per head in November, 1878.<sup>69</sup>

The owners of improved stock mentioned here represent but a fractional part of all the Arizona ranchers who realized the advantages of better breeds. Stockmen were learning that it cost no more to feed and market a good twelve hundred pound steer than to condition a "scrub" which would not weigh half as much. The greatest and most noticeable improvement, of course, came in the 1880's with the introduction of Herefords. The "white faces" were found to be most suitable for the arid climate. They are essentially grass-fattening animals which proved to have all the vigor and endurance of native cattle. They sold as well in the beef market and better as feeders than did the other breeds.<sup>70</sup>

Among the early Hereford breeders were Colin Cameron of the San Rafael Ranch and H. C. Hooker. In the early 1880's Cameron imported some of the purebreds to his ranch east of Nogales<sup>71</sup> In November, 1887, the Sierra Bonita rancher unloaded two carloads consisting of forty-three bulls, all entered in the American Hereford Record; the shipment was from the T. C. Miller Company of Beecher, Illinois, the oldest Hereford breeders in the United States.<sup>72</sup> About the same time, the Thoroughbred Cattle Company was importing well-bred animals to Benson and other southern Arizona localities.<sup>73</sup> Some of their customers were the Rich

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68. *Arizona Citizen*, August 28 and September 11, 1875.

69. *Arizona Star*, November 14, 1878.

70. *Report of the Governor*, 1893, pp. 23-24.

71. Matt Culley, "Good Range Cattle," *Arizona Cattle-log*, I, No. 10 (June, 1946), pp. 3-6.

72. *Tombstone Epitaph*, November 5, 1887.

73. *Tombstone Prospector*, April 9, 1887 and February 19, 1888.

Brothers and the Stein's Peak Cattle Company of the San Simon Valley, Proctor Brothers of the Munson Cienega, and S. E. Heaton of Teviston. By the 1890's such breeders as Cameron had graded animals for sale. In December, 1897, the San Rafael owner sold his cull calves for \$100 each. Ekey and Beckwith, upper Santa Cruz ranchmen, were able to purchase seven registered Hereford bulls from him.<sup>74</sup>

Another method of breed improvement, namely, spaying, was occasionally used. In 1887 the Erie Cattle Company, to give one example, hired J. S. Shipman of Cottonwood Falls, Kansas, to spay a thousand off-colored and Mexican heifers. The cows then fattened quickly, and the herds were effectively culled.<sup>75</sup>

The quality of cattle continued to improve until by 1889 the territorial governor was able to report that few herds could be found, except along the international border, that did not show a high degree of improvement. Arizona cattle continued to improve rapidly after 1890, with the exception of a brief period during the second Cleveland administration when Mexican cattle were admitted duty free.<sup>76</sup> These cattle, however, produced an inferior carcass which brought at least a cent a pound less than most Arizona beeves.<sup>77</sup>

The narrative of the early ranching in southern Arizona would be incomplete without mention of the Indian depredations which continued, until 1886, to be an important retarding factor in the expansion of the cattle industry. Supposedly the subjugation of the Apaches and the death of Cochise in 1874 culminated in amicable relations for all time, and control over the Indian reservations was accordingly transferred from the War to the Interior Department. The expected peace apparently prevailed throughout the territory until June, 1876, at which time the Apaches of the Chiricahua Reservation were transferred to the White Mountain Reservation.<sup>78</sup> Many rebelled and left the reservation to raid the settlements.

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74. *Oasis*, December 11, 1897 and January 1, 1898.

75. *Tombstone Epitaph*, December 24, 1887.

76. Williams, *op. cit.*, p. 38.

77. *Report of the Governor*, 1893, p. 38.

78. *Arizona Citizen*, September 25, 1875.

Among many complaints from cattlemen because of the outrages was one from Sam Hughes who reported in September that the Sonoita, Santa Cruz, and San Rafael districts were losing large numbers of cattle. The Apaches would kill a beef when in need, he said, and leave the balance to spoil.<sup>79</sup> During 1877 the roving bands increased in size, and conducted raids under the leadership of Victorio and Geronimo until the former was finally killed in 1880. A short period of inactivity ensued, but in April, 1882, a group of one hundred warriors and four hundred other Indians departed from the San Carlos reservation for the Sierra Madre Mountains in Mexico, from which they conducted forays into southeastern Arizona after March of the following year. At the time of the outbreak the citizens of Pima County raised \$11,000 to put fifty men into the field.<sup>80</sup> This force, however, had no permanent effect, and the task of subduing the Indians once again fell upon the Federal Government.

Legal prosecution of the Indians was facilitated by a Congressional act of March 1, 1885, which conferred jurisdiction upon territorial courts.<sup>81</sup> Yet provision for covering the expenses of the courts was not made until March 2, 1889.<sup>82</sup>

Federal troops were sent against the natives in 1885, and soon forced Geronimo to surrender. But even then, sixteen more months of intensified depredations had to be endured; and not until August, 1886, was General Nelson A. Miles successful in bringing about Geronimo's second surrender and the removal of the Chiricahua and Hot Springs Apaches to Florida by an order of the Department of Interior dated December 5, 1885. Pima, Cochise and Graham Counties had suffered materially from Indian hostilities and, in spite of the drouth, the assessed valuations of 1886 exceeded those of the previous year as a direct result of the restoration of peace.<sup>83</sup>

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79. *Ibid.*, September 23, 1876.

80. *Report of the Governor*, 1883, p. 11.

81. *23 Statutes at Large*, p. 385.

82. *25 Statutes at Large*, p. 1004.

83. *Report of the Governor*, 1886, p. 3.



# CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

(Continued)

## \* *Proclamations*

1847

Jan. 5—Carlos Bent. Gobernador del Territorio de Nuevo Mejico, a sus habitantes. Santa Fe.

(a proclamation which attempts to allay suspicions toward the government recently established in N. M. by U. S. forces)

Feb. 22—Donaciano Vigil, Gobernador Interino del Territorio de Nuevo Mejico, a los Habitantes del Mismo.

(a proclamation authorizing the capture of the effects of hostile Navajos and regulating the distribution of such booty as may be seized by citizen forces)

1850

Apr. 23—Proclamation. Given under my hand at the Government House, in the city of Santa Fe, this 23rd day of April, A.D. 1850. John Munroe. Military & Civil Governor Territory N. M.

A proclamation authorizing the election of delegates to a constitutional convention.

May 28—Proclamacion. Por cuanto que el Pueblo de Nuevo-Mejico por sus Delegados en Combencion reunida hi-cieron una Constitucion de Estado por Territorio de Nuevo Mejico . . . Dado Bajo de me (m inverted) firma en la casa de Gobierno, Ciudad de Santa Fe el dia 28, de Mayo A.D. 1850. John Munroe, Gobernador Civil & Militar del Territorio de N. M.

May 28—Proclamation. Given under my hand at the Government House, City Santa Fe, this 28th day of May A.D., 1850. John Munroe, Civil and Military Governor Territory of N. M. An election is proclaimed, to take place on June 1850, when N. M. may register its approval or disapproval of the proposed constitution.

1850

Proclamation. (Munroe) Broadside 12 9/16 x 8 5/16 in.

1851

Mar. 12—Proclamation. Given under my hand at the Government House, City Santa Fe, this 12th day of March, A.D., 1851. James S. Calhoun By the Governor, H. N. Smith, Secretary of the Territory.

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\* Only the first proclamation for each of several different legal holidays has been listed; for instance, the first proclamation for Arbor day is listed and not the subsequent ones.

(Santa Fe, 1851) Broadside 13 $\frac{3}{8}$  x 6 $\frac{1}{2}$  in. in two columns (E&S)

Text in Spanish and English separated by upright rule. A census is authorized.

Mar. 18—Proclamation. James S. Calhoun, Governor of the Territory of New Mexico, To the People of Said Territory. Given under my hand at the city of Santa Fe, this 18th day of March A.D. 1851 James S. Calhoun, Governor.

Text in English and Spanish in parallel columns separated by upright rule.

For protection against hostile Indians, military organizations are recommended.

Mar. 19—Proclamation of Governor Calhoun to Pueblo Indians, authorizing them to attack any tribe of Navajos that may approach their towns. (E&S)

Apr. 23—Election proclamation of Governor Calhoun, instructions on same, etc. (E&S)

Aug. 2—James S. Calhoun proclaims and ordained terms of courts. (E&S)

Aug. 8—Proclamation of Governor Calhoun for election of a delegate to congress of U. S. (E&S)

Aug. 9—Proclamation of James S. Calhoun for election of two members of the House of Representatives to fill vacancies occasioned by resignation of Ortiz and John R. Fullis.

Oct. 6—Proclamation of James S. Calhoun for election to fill vacancy in office of Representative of Rio Arriba Co. by resignation of J. A. Mansanares and C. Skinner in Valencia County. (E&S)

Oct. 24—(James S. Calhoun)  
Organizing militia.

Oct. 28—(James S. Calhoun)  
Election in Rio Arriba co. to fill vacancy occasioned by resignation of Ramon Vigil and Antonio Manzanares.

1852

June 29—Proclamation ordering elections for one sheriff and three justices of peace for towns of Dona Ana, Las Cruces, and Fillmore to take place July 25, 1852 issued by (E. V. Sumner Brvt. Col. U.S.A. in charge of executive office).

July 19—(E. V. Sumner)  
Proclamation saying all offensive hostilities will cease on the part of the whites against Apache Indians issued by E. V. Sumner Brvt. Col. U.S.A. in charge of executive office.

1853

Sept. 21—Proclamation by Gov. Meriwether, declaring Jose Manuel Gallegos elected as delegate to Congress.

1854

Jan. 27—Election in Dona Ana to elect one probate judge for county issued by David Meriwether.

Apr. 10—Proclamation. Executive Office, Santa Fe, N. M. April 10, 1854. Whereas the tribe of Indians, known as the Jicarilla Apaches, have made war upon, and commenced hostilities against, the government of the United States; . . . William S. Messervy, Acting Governor and Super. of Indian Af.

English and Spanish text separated by upright rule. Inter-course with hostile Indians is forbidden.

Dec. 4—Vacancy in Legislative council caused by death of Thomas Ortiz election on Dec. 16 to fill vacancy issued by D. Meriwether.

1855

Jan. 24—Proclamacion. Por autoridad a me conferida por la ley . . . Dada bajo mi firma y el sello del Territorio, en la ciudad de Santa Fe, hoy dia 24 de Enero, A.D. 1855. D. Meriwether. Por el Governador, W. W. H. Davis, Secretario del Territorio De Nuevo Mejico. (Santa Fe, 1855).

A proclamation calling for four companies of mounted volunteers of from 50 to 100 men, each to serve for six months in a campaign against hostile Indians. After the appointment of W. W. H. Davis as secretary of the Territory, his name ceases to appear as an active partner in the publishing of the *Santa Fe Gazette*.

Nov. 8—(W. W. H. Davis)

Election in Bernalillo co. to elect probate judge to fill unexpired term of Julian Perea.

1856

Feb. 11—(W. W. H. Davis)

Order an election in said co. and vote on Mar. 31 for approval of common school law by Taos, Rio Arriba, Santa Ana and Socorro by vote of said counties.

1857

Oct. 9—(W. W. H. Davis)

election to fill vacancy by death of Francisco Martinez y Romero of Rio Arriba.

Oct. 10—(W. W. H. Davis)

election to fill vacancy caused by resignation of Jose Manuel Gallegos.

Dec. 8—(Abraham Rencher)

election in Taos caused by resignation of Vincente Romero.

1859

Proclamacion. Sepan todos que esta proclama vieren que yo por virtud de la autoridad que me es con ferida por la ley, ordeno que sera tenida una eleccion en los varios precintos

del condado de Santa Fe . . . Dado bajo mi mano y sello del Condado en la prefectura de Santa Fe. Nuevo Mexico, hoy dia 22 de Agosto de 1859. Antonio Matias Ortiz, Juez de Pruebas.

(Abraham Rencher)

Election caused by resignation of Andre Anaya of Bernalillo co.

1860

Proclamacion. Del presidente de la Convencion general, al pueblo de Nuevo Mejico. Caros conciudadanos. Jose L. Perea, presidente de la convencion genrl. Santa Fe, Agosto 28, 1860. Printed in double column.

Volunteers are requested for a campaign against the Navajos.

Feb. 18—(Abraham Rencher)  
elections.

Mar. 31—(Abraham Rencher)

Election in Dona Ana caused by resignation of Anastacio Barela.

1861

Aug. 5—Proclamation by Gov. Rencher, calling upon all citizens to organize themselves into military companies for defense.

Sept. 9—Proclamation by the Governor. Done at Santa Fe this 9th day of September in the year eighteen hundred and sixty one. By the Governor, Henry Connelly. M. A. Otero, Secretary of N. M.

A proclamation calling out the militia against invaders from the Confederate State of Texas.

1862

Aug. 15—Proclama al pueblo de Nuevo Mejico. Enrique Connelly.

Sept. 4—Enrique Connelly. Proclama al pueblo de Nuevo Mejico.

Sept. 14—Proclamation by Gov. Connelly, on reorganization of militia with view to campaign against Navajos.

1863

Mar. 26—Proclamation of W. F. M. Army, on counties of Arizona and Dona Ana.

Aug. 20—Proclamacion. Al pueblo del Nuevo Mejico. A proclamation issued in anticipation of the admission of N. M. to the Union.

Sept. 21—Proclamation by Gov. Connelly, calling for volunteers for regiment.

Oct. 28—Election to fill vacancy occasioned by resignation of Jesus Maria Baca of Santa Ana.

Nov. 27—Henry Connelly, Governor and Commander-in-chief of the militia ordered an immediate organization of the militia for the purpose of repelling invasion from abroad and for



purpose of punishment and subjugating the savage enemies within our limits.

1865

Mar. 23—Proclamation of Gov. Connelly, setting aside Apr. 7 as day of Thanksgiving for close of Indian war, etc.

1866

Feb. 2—Proclamation by Gov. Connelly, calling election of delegates to convention to form state constitution.

Feb. 2—Proclamation asking probate judges call an election in each precinct on 5th of March, 1866 for delegates to a convention to frame a constitution.

Nov. 2—Proclamation by Acting Governor W. F. M. Army on Indian dangers and military matters. (E&S)

Nov. 20—Proclamation by W. F. M. Army authorizing the loan of public arms. Acting governor.

1867

Apr. 14—Proclamation of Gov. Mitchell, stating that peonage is abolished.

Sept. 12—Proclamation of Gov. Mitchell requesting all persons refrain from illegal trading with Indians.

1868

June 10—Proclamation of Acting Governor Heath requesting all civil officers aid in destroying peonage.

1869

Aug. 2—Proclamation. Whereas R. B. Mitchell, Governor of the Territory of New Mexico, did on the 2nd day of August eighteen hundred and sixty nine issue his proclamation declaring the Navajo tribe of Indians outlaws . . . (Santa Fe, 1869)

Sept. 8—Dated and signed at end: 8th day of September A.D. 1869. Wm. A. Pile, Governor.

Governor Mitchell's proclamation (no. 213) is modified. Only marauding bands of Navajos are declared hostile, and peaceable Indians upon their reservations are declared to be entitled to all possible protection.

Nov. 18—Thanksgiving day proclamation by H. H. Heath dated 11/1/69.

1870

Jan. 10—Asking arrest of persons engaged in riot at New Placer Mines. Wm. A. Pile, governor.

1871

Apr. 19—Proclamation requesting miners to return all arms and other property belonging to Maxwell Land Grant and Railway Company. Wm. A. Pile, governor.

Oct. 23—Proclamation by H. Wetter, offering a reward of \$1,500 for capture of three desperadoes.

1872

Apr. 2—Proclamation calling for general election first Monday in June, 1872 for the purpose of determining whether the people in the territory are in favor of the constitution.

Feb. 28—Proclamation by Governor Giddings, apportioning council and House of representatives.

1874

Jan. 7—Proclamation by Governor Giddings, offering a reward of \$500 for apprehension of Zachariah Crempton, E. Scott and three Harold brothers.

1877

Aug. 11—Proclamation of W. G. Ritch on the death of Donaciano Vigil, governor of New Mexico from Jan. 17, 1847 to Oct. 11, 1848.

Biographical account in *The New Mexican* Aug. 28, 1877.

Aug. 16—Writ of election by W. G. Ritch to fill vacancy caused by decease of Paul Dowlin.

Sept. 28—Proclamation by W. C. Ritch offering \$500 reward for apprehension of murderers of Benito Cruz and Martinet.

1878

Nov. 15—Proclamation of amnesty for Lincoln county disorders. (Ritch)

1880

Mar. 15—Proclamation offering reward for Hyman G. Neills for grand larceny.

1881

Jan. 24—Proclamation offering \$500 reward for arrest of murderer of Albart Brocksmit.

July 11—Proclamation of thanksgiving on the occasion of the attempted assassination of President Garfield and praise for the President's deliverance. (Ritch)

Sept. 26—James A. Garfield memorial day (L. A. Sheldon) dated 9/21/81.

1882

Feb. 23—Reward for murderer of Bersate Lujan (Sheldon).

Feb. 25—Reward of \$500 for the murderer of Prudencio Griego.

Mar. 23—Reapportionment of the territory into council and representative districts (Sheldon).

Mar. 24—Proclamation appointing Perfecto Armijo territorial agent to convey prisoners to the penitentiary dated 3/24.

1883

Mar. 3—Reward of \$500 for murderer of Tom Bar.

Mar. 8—Reward for capture of Chester W. Consius, murderer.

Apr. 2—Reward of \$500 for Salvador Garcia for murder.

Apr. 17—Reward of \$500 for the murderers of Dan Swany.

1884

Aug. 7—Proclamation enforcing the law to prevent diseased cattle being introduced in New Mexico.

Oct. 20—Proclamation revoking proclamation of Aug. 7.

1885

Mar. 2—Proclamation establishing quarantine (Sheldon)

Apr. 28—Proclamation establishing quarantine (Sheldon)

May 4—Compilation of general laws (Sheldon)

May 30—Memorial Day (L. A. Sheldon) dated 5/11.

July 23—Death of Gen. U. S. Grant (E. G. Ross) dated 7/23.

Aug. 21—Declaring the penitentiary open and ready for reception of convicts (E. G. Ross)

1887

May 21—Cattle quarantine proclaimed (E. G. Ross)

Aug. 12—Cattle quarantine proclaimed (E. G. Ross)

Aug. 16—Cattle quarantine proclaimed (E. G. Ross)

Oct. 27—Proclamation modifying cattle quarantine proclamation (E. G. Ross)

1888

Mar. 16—Quarantine proclamation G. W. Lane, Sec. acting as governor.

June 15—Modification of Cattle quarantine proclamation (E. G. Ross)

1889

Apr. 30—Centennial anniversary proclamation by Gov. Prince dated 4/20/89.

June 24—Proclamation calling for a constitutional convention Sept. 3, 1889 (L. B. Prince dated 6/24)

Aug. 6—Election for choice of delegates to constitutional conventions (L. B. Prince) dated 8/3/89.

Aug. 26—Proclamation that the proposed constitution will be submitted to the qualified electors for adoption or rejection on Oct. 7, 1890 and the manner of elections (Prince) dated 8/26/1889.

1890

Jan. 8—Quarantine proclamation.

Mar. 1, Apr. 1—Arbor day dated 2/12.

Aug. 1—Outrages in San Miguel county by companies of masked men dated 8/1.

Oct. 7—Proclamation announcing a special election Oct. 7, 1890 on the proposed constitution.

1892

Oct. 21—400 anniversary of the discovery of America proclaimed as Columbus day. dated 8/15.

Nov. 9—Proclamation rescinding previous proclamation relative to Pleuro pneumonia and quarantine heretofore established. dated 11/9.

1893

Aug. 24—Urging participation in mass meeting Sept. 20, 1893 at Albuquerque for urging early action on admission of territory as a state. dated 8/24.

Sept. 1—Declaring Sept. 16, 1893 as New Mexico day at the Columbian exposition. dated 9/1.

1896

Feb. 18—Quarantine of cattle. dated 4/18.

Apr. 18-Nov. 15—Special order modifying quarantine line for states of Texas and Oklahoma. dated 4/18.

1897

Jan. 25—Quarantine proclamation. dated 1/25.

Jan. 29—Proclamation declaring Raton as entitled to be incorporated as a city. dated 1/29.

Feb. 13—Modified quarantine proclamation.

Feb. 23—Raised quarantine on Arizona.

1898

Apr. 22—Compilation, publication and distribution of laws of New Mexico. dated 4/22.

May 24—Modifying quarantine against cattle from California. dated 5/24.

Oct. 19—General LaFayette day. dated 10/4.

1899

June 24—Public holiday as anniversary of 1st engagement on land of U. S. troops with those of Spain in which New Mexicans were members of 1st U. S. volunteer cavalry known as the Rough Riders. dated 6/7.

Dec. 14—Centennial anniversary of death of George Washington.

1900

Sept. 3—Labor day. dated 8/30.

Oct. 30—Cattle quarantine. dated 10/30.

1901

June 14—Flag day. dated 5/22.

Sept. 14—Proclamation calling for a day of fasting and prayer for President Wm. McKinley. dated 9/14.

Nov. 1, 1901-Mar. 5, 1902—Quarantine of cattle. dated 10/30.

1902

Jan. 29—McKinley day. dated 1/11.

Sept. 6—Asking for assistance for flood sufferers along Mimbres river in Grant county on Aug. 29.

Nov. 1, 1902-Mar. 5, 1903. dated 10/23.

1903

Jan. 13—Special election in Union co. dated 12/8/1902.

Mar. 5-Nov. 1—Cattle quarantine. dated 3/11.

Sept. 25—Town of Roswell entitled to become a city. dated 9/25.



- Oct. 13—Irrigation convention. dated 9/28.  
Nov. 1, 1903 until rescinded—Cattle quarantine. dated 10/28.
- 1904  
Oct. 17—New Mexico day at World's Fair at St. Louis, Mo. dated 9/17.  
Nov. 18—New Mexico day at World's Fair at St. Louis, Mo. dated 10/18. (It was necessary to postpone date originally selected.)  
Dec. 24—Special election in Valencia and Torrence counties. dated 11/29.
- 1905  
Sept. 26-27—Good roads convention. dated 6/29.
- 1906  
Feb. 6—Proclamation declaring the solution known as arsenate of lead be exempt from restrictions of Sec. no. 1260 of Compiled laws of 1897. dated 2/6.  
July 14—Enabling act. dated 8/14.  
Sept. 4—Appointment of representation among counties in the Council and House. dated 9/4.  
Sept. 18—Proclamation calling a meeting of sheep and wool growers of New Mexico for the purpose of forming a Sheep and Wool Growers association. dated 6/19.  
Oct. 6—Proclamation ordering an election for the purpose of electing members of the legislative assembly. dated 10/6.
- 1907  
Feb. 18—Good Roads proclamation. dated 2/13.  
Oct. 9—Coronado commemorative convention. dated 8/28.
- 1908  
June 25—Death of Grover Cleveland. dated 6/24.  
Aug. 5—Tucumcari made a city.  
Oct. 5—Good Roads convention. dated 9/11.
- 1909  
Mar. 2—Clovis becomes a city. dated 3/2.
- 1910  
May 15—Mother's day. dated 5/2.  
Sept. 6—Ordering election in order to choose delegates to a constitutional convention. dated 6/29.
- 1911  
Jan. 21—Ordering an election to be held in order to ratify or reject proposed constitution. dated 12/21/10.  
Oct. 9—Fire prevention day. dated 9/21.  
Nov. 7—State Election day. dated 8/30.  
Dec. 30—Results of election to amendment to constitution. dated 12/30.

## 1912

- Jan. 17—Proclamation by Gov. McDonald convening the First state legislature of New Mexico on March 11, 1912. dated 1/17.  
Feb. 17—Child labor day. 2p. dated 2/2.  
Oct. 26—Proclamation in connection with elections. dated 10/26.  
Nov. 5—Election of presidential electors and one representative in Congress for 1912. 2p. dated 9/16.  
Dec. 14—On adoption of highway bond. dated 12/14.  
Dec. 14—On adoption of Suffrage amendment to the Constitution of New Mexico. dated 12/14.

## 1914

- Dec. 4—Cattle quarantine. dated 12/3.

## 1915

- Feb. 9—Special election in Sierra co. dated 1/22.  
Feb. 11—Rescinding quarantine issued Jan. 13. dated 2/11.  
Mar. 12—Quarantine proclamation. dated 3/12.  
Apr. 15—Amending and modifying quarantine proclamation. dated 4/14.  
June 1—Amending and modifying further quarantine. 2p. dated 6/1.

## 1916

- Mar. 31, Apr. 14—Arbor and bird days. dated 3/10.  
Oct. 24—Requesting prevention of corrupt practices at elections. dated 10/24.

## 1917

- Feb. 19—Proclamation by Gov. Lindsey announcing death of E. C. DeBaca, a candidate for governor of N. M. dated 2/19.  
Apr. 23—Proclamation by Gov. Lindsey declaring need for agricultural aid to enhance war effort. 3p. dated 4/23.  
May 1—Call for 3rd state legislature for enacting legislation caused by the emergencies of war. dated 4/26.  
May 3—Appointment of County school superintendents of the different counties as organizers of the "United States boys working reserve."  
May 30—Decoration and Memorial day. dated 5/17.  
Aug. 16—Proclamation by Gov. Lindsey asking parents and guardians of the youth of the state to persuade children to continue their education. dated 8/16.  
Oct. 13—Food conservation pledge card day.  
Oct. 24—Liberty day. dated 10/17.  
Nov. 4—International Go-to-Sunday-school day.  
Nov. 11—Y.M.C.A. War Work Sunday. dated 11/9.  
Dec. 17—Request for increase of membership in American Red Cross. dated 12/15.

## 1918

- Feb. 7—Insurance day. dated 2/6.  
Feb. 8-14—Boy Scout week. dated 2/9.

- Apr. 6—Public holiday. dated 3-28.  
Apr. 26—Liberty day for purpose of lending to the success of the 3rd Liberty Loan. dated 4/23.  
May 20-27—Red Cross week. dated 5-21.  
May 24—Italy day. dated 5/21.  
June 3-8—Coal order week. dated 5/29.  
June 28—War savings day. dated 6/4.  
July 10—Proclamation asking the people to subscribe and pay the Salvation Army the amount requested for war work. dated 7/9.  
Nov. 5—An appeal to sheriffs and peace officers to enforce voting laws. dated 11/4.  
Nov. 9—Gas mask day. dated 11/7.  
Nov. 24—Peace day. dated 11/13.  
Dec. 27—Proclamation by Acting Gov. Antonio Lucero asking the people to go to New Museum building on Dec. 27 to meet the official mission of scholars from the French government. dated 12/24.  
Dec. 24—Proclamation by Acting Gov. Antonio Lucero asking every American to enroll in the American Red Cross during the Christmas roll call. 2p. dated 12/24.

1919

- Jan. 4—Request for N. M. quota for Armenian and Syrian relief. dated 1/4.  
Jan. 8—Proclamation by Gov. Larrazolo in respect to the memory of Ex-president Roosevelt. dated 1/8.  
Jan. 26—Polish day. dated 1/22.  
Feb. 9—Roosevelt memorial day. dated 2/1.  
Apr. 16—Proclamation by Acting Gov. B. F. Pankey calling upon the people of the state to enlist in the Victory liberty loan drive. dated 4/16.  
June 16-23—Proclamation by Gov. Larrazolo calling upon the people of the state to aid the Salvation Army. dated 6/4.  
June 29-Jl. 6—Thrift message week. dated 6/18.  
Aug. 12—Proclamation by Acting Gov. Pankey relative to the Junior Red Cross. dated 8/12.  
Sept. 17—Constitution day. dated 9/16.  
Sept. 11-13—Proclamation by Gov. Larrazolo dedicating Sept. 11-13 to commemorate the achievements of our fathers. 2p. dated 9/6.  
Oct. 16-18—Proclamation by Gov. Larrazolo inviting veterans to participate in American Legion ceremonies. dated 10/7.  
Oct. 18—Ceremonies in honor of King and Queen of Belgium. dated 10/7.  
Oct. 24—Americanization day. dated 10/24.  
Oct. 24—Proclamation relating to the coal strikers. 4p. dated 10/24.  
Nov. 2—Proclamation regarding the restlessness in Colfax and

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McKinley counties on account of coal strikers. 2p. dated 11/2.

Nov. 11—Armistice day. dated 11/1.

Dec. 9—Proclamation calling for special election to fill vacancy in legislature. 2p. dated 12/9.

Dec. 15—Proclamation removing martial law from Colfax county. dated 12/15.

Dec. 30—Proclamation removing martial law from McKinley county. 2p. dated 12/30.

## 1920

Feb. 16—Calling for a special session of the legislature. 4p. dated 2/3.

Feb. 17—Requesting young men to fill vacancies in the navy. dated 2/17.

Feb. 20—Washington's birthday. dated 2/20.

May 1—American day. dated 4/10.

May 17-22—American legion week. dated 5/15.

June 12—Neighbor's day. dated 6/7.

June 13—Community Sunday. dated 6/7.

Nov. 14—Red Cross Sunday. dated 10/28.

Dec. 12-18—New Mexico health week. dated 12/4.

## 1921

May 22-28—Forest protection week. dated 5/5.

Aug. 19—Proclamation urging the public to assist the Veterans Bureau in establishing a personal contact with all ex-service men in the state. dated 8/19.

## 1922

Mar. 20—American Legion employment day. dated 3/11.

Apr. 27—General Grant's centenary. dated 4/4.

Oct. 2-9—Fire prevention week. dated 9/13.

Nov. 11-29—6th Annual roll call of American Red Cross. dated 11/1.

Dec. 3-9—Education week in New Mexico. dated 11/25.

## 1923

Oct. 27—Navy day. dated 10/20.

Nov. 18-24—American education week. dated 11/13.

Dec. 9-16—Harding memorial week. dated 12/1.

## 1924

Apr. 21-29—Forest protection week. dated 4/11.

Nov. 17-24—American education week. dated 11/10.

## 1925

Apr. 16-May 2—Boys' week. dated 4/16.

Apr. 27-May 3—American Forest week. dated 4/15.

May 1—Child health day. dated 4/15.

June 1-6—American legion endowment week. dated 1/5.

Nov. 16-22—American education week. dated 11/12.

1926

May 2-8—Music week. dated 4/30.

Nov. 11-Nov. 25—10th annual Red Cross Roll call. dated 10/25.

1927

Last week of Feb.—Anti-narcotic education week. dated 2/11/27.

Apr. 24-30—American forest week. dated 4/16.

May 1-7—Music week. dated 4/9.

May 1—Child health day. dated 4/20.

May 1-7—Boys' week. dated 4/29.

May 12—National hospital day. dated 5/9.

Oct. 9-15—Fire prevention week. dated 10/3.

Nov. 11-Nov. 24—Annual roll membership in the American Red Cross. dated 11/1.

Nov. 7-13—American education week. dated 11/4.

1928

Apr. 22-28—American forest week. dated 3/27.

Apr. 28-May 5—Boys' week. dated 4/9.

May 1—Army day. dated 4/18.

May 1—Child health day. dated 4/18.

May 1-7—Music week. 2p. dated 5/4.

Oct. 7-14—Fire prevention week. 2p. dated 9/25.

Nov. 11—Twelfth annual roll call of the American Red Cross. dated 10/23.

Nov. 12-18—Highway safety week. 2p. dated 11/3.

1929

Apr. 1—Child health day. dated 4/8.

May 5-11—Music week. dated 4/30.

Aug. 17—Flood sufferers in Socorro county. dated 8/17.

Sept. 18—Proclamation by Gov. Dillon regarding markers for aid of airports in cities, towns, and villages. 2p. dated 9/18.

Oct. 6-12—Fire prevention week. dated 9/24.

Nov. 11-28—Annual roll call of the American Red Cross. 2p. dated 11/4.

1930

May 1—Child health day. dated 4/12.

May 4-10—Music week. dated 4/29.

May 12-19—Clean-up and paint week. dated 5/5.

Oct. 5-11—Fire prevention week. dated 9/24.

Oct. 19-26—Business Confidence week. dated 10/9.

Oct. 27—Proclamation of Gov. Dillon honoring the memory of Theodore Roosevelt. dated 10/6.

Nov. 11-27—Annual roll call of the American Red Cross. dated 10/25.

1931

May 1—Child health day. 4/10.

May 3-9—Music week. 4/23.



Oct. 4-10—Fire prevention week. 9/19.

## 1932

Jan. 17-23—Thrift week. 1/18.

Mar. 5—Calling for united action for unemployment. 3/5.

Mar. 6-12—National business women's week. 3/2.

Apr. 8—Bird day in New Mexico. 3/16.

May 1—Child health day. 4/15.

May 1-7—National Music week. 4/16.

August—State highway safety month. 2p. dated 20 July '32.

Oct. 9-15—Fire prevention week. 9/17.

Nov. 7-13—American education week. 10/19.

Nov. 11-24—Annual roll call, American Red Cross.

## 1933

Mar. 3-7—Bank holiday. 3/2.

Mar. 4-7—Bank holiday. 3/3. (supersedes and rescinds proclamation issued 3/2.)

Mar. 5-11—National business women's week. 2/23.

Apr. 30—President's day. 4/24.

May 1—Child health day. 4/8.

May 3—Proclamation by Arthur Seligman declaring quarantine against Colorado. 2p.

May 12—Hospital day. 5/4.

Aug. 30—Declaring martial law in McKinley co. 9/30.

Sept. 28—Announcing death of Gov. Seligman. Signed by A. W. Hockenhull. 9/27.

Oct. 8-14—Fire prevention week. 9/19.

Oct. 9-Dec. 31—"Now is the time to buy" campaign. 10/9.

Oct. 11-13—Appointment of delegates to U. S. Good Roads association. 10/3.

Oct. 16-20—Appointment of delegates to National Tax Association. 9/22.

Oct. 16-21—Appointment of delegates to American library association. 9/20.

Oct. 30—Stock of banks issuance of nonassessable preferred stock. 10/30.

Nov. 2—Stock of banks issuance of nonassessable preferred stock. 11/2.

Nov. 2—Proclamation of Gov. Seligman calling convention for ratifying or rejecting twenty-first amendment to Constitution of U. S. 7p.

Dec. 18-23—State holiday jubilee. 12/8.

## 1934

Feb. 15—Repayment of interest by fiscal agent.

Mar. 8—Waiving law to extent that 2500 may be deposited without security. 3/8.

Mar. 11-17—National business women's week. 2/14.

- Apr. 9—Call for special session. 4p.  
May 1—Child health day. 4/26.  
May 1-June 30—Payment of interest on deposits of public moneys. 2/15.  
May 1-June 30—Reducing interest rate on daily balances on deposits from 1½ to 1% from May 1-June 30. 5/22.  
May 1, '33-Jan. 31, '34—Reducing rate of interest on daily balances of public deposits. 2/15.  
Aug. 14—N. M. day Century of Progress. 8/4.  
Sept.—Street and highway safety month. 8/30.  
Oct. 6—Loyalty day. 10/1.  
Oct. 7—Loyalty Sunday. 10/1.  
Oct. 7-13—Fire prevention week. 9/19.  
Oct. 21-27—Better housing week. 9/26.  
Nov. 5-11—American education week and Parent teacher week. 10/27.  
Nov. 11-29—Annual roll call of American Red Cross. 10/29.  
Nov. 21—Special election in Eddy and Lea counties to elect State senator in place of Hon. J. H. Jackson. 2p. 11/21.  
Dec. 18—State holiday jubilee.

## 1935

- Mar. 17-23—Business women's week. 2/21.  
Apr. 30—Quarantine of cattle. 2p. 4/30.  
May 5-11—National music week. 4/30.  
June 15—National Better housing day. 6/5.  
June 10-15—Western states railway week. 6/1.  
Sept.—Go to the theatres month. 8/28.  
Oct. 6-12—Fire prevention week. 9/26.  
Oct. 20-26—Parent teacher week. 9/26.  
Oct. 28—Navy day. 10/22.  
Nov. 3-9—National art week. 9-28.  
Nov. 11-17—American education week. 10/28.

## 1936

- Feb. 7-13—Boy Scout week. 2/7.  
Feb. 23-29—Save your vision week. 2/11.  
Mar. 15-21—National business women's week. 3/2.  
Apr. 1.—A.L.A. conference.  
Apr. 10—Good Friday. 4/4.  
Apr. 20-7—Highway safety week. 3/16.  
May 12—Hospital day. 4/27.  
July 13-18—Railway week. 6/19.  
Oct. 4-10—Fire prevention week. 9/16.  
Nov. 3—Martial law for San Miguel co. 11/3.  
Nov. 9-15—American education week. 10/10.  
Dec. 14—Call for special session of the 12th legislature. 12/5.

## 1937

- Feb. 7-13—Boy Scout week. 2/2.  
Mar. 14-20—National business women's week. 3/8.  
Mar. 21-28—Fight cancer week. 3/10.  
Mar. 26—Good Friday. 3/20.  
Apr. 16—Safety day. 3/31.  
    Eunice proclaimed a city. 3p. 4/23.  
May 2-8—National music week. 4/15.  
May 12—Hospital day. 5/6.  
May 24-30—Air mail week. 4/27.  
June 8—Hobbs designated as a city. 3p.  
June 20—Fathers' day. 6/5.  
Oct. 3-9—Fire prevention week. 9/22.  
Oct. 30—Parent teacher week. 10/14.  
Nov. 7-13—American education week. 10/14.  
Nov. 12—1937 unemployment census.  
Week of Nov. 15—N. M. products week. 10/19.

## 1938

- Jan. 29—Proclamation designating Jan. 29, the president's birthday, as a holiday. 1/27.  
Mar. 20—National wild life week. 3/7.  
Mar. 23—Eat more meat period. 3/5.  
April 1-30—Cancer control month. 3/14.  
Apr. 15—Good Friday. 4/9.  
May 1—Child health day. 4/27.  
May 12—Hospital day.  
May 15-21—Air mail week. 4/22.  
June 19—Fathers' day. 6/3.  
Aug. 14-21—Social security week. 8/12.  
Aug. 22—Call for special session. 8/11.  
Sept. 5-10—Veterans employment week. 9/3.  
Oct. 9-15—Fire prevention week. 9/22.  
Nov. 8—Call for special election for state senator of Quay county. 10/18.

## 1939

- 1939—Fiesta year of the West. dated 2/6.  
Feb. 1—Third Social hygiene day. dated 1/28.  
Feb. 2-8—Eat more beans week. dated 1/31.  
Feb. 11—Edison day.  
Feb. 12-22—National Americanism week and I am an American "Panegyric." dated 2/7.  
Mar. 19—National wild life week. dated 2/27.  
Apr. 1-30—Cancer control month. dated 3/31.  
Apr. 7—Good Friday. dated 3/31.  
Apr. 16-22—Parent teacher week. dated 4/1.  
Apr. 17-23—Kindness to animals week. dated 4-10.

- Apr. 24—Grasshopper control program, J. M. Murry, Sr., acting gov. dated 4/24.  
Apr. 30—Employment day. dated 4/11.  
May 1—Child health day. dated 4/26.  
May 7-15—National music week. dated 4/26.  
May 12—Hospital day. dated 5/8.  
May 18—World good will day, J. M. Murry, Sr., acting gov. dated 4/25.  
May 22-27—National cotton week. dated 5/16.  
June 1—New citizen day. 5/11.  
June 8-14—Flag week. dated 5/25.  
June 21—Fire prevention. dated 6/21.  
June 22—Summer safety. dated 6/22.  
Sept. 11-24—Air progress. dated 8/31.  
Sept. 17—Constitution Sunday. dated 8/23.  
Sept. 25—Printing industry week. dated 9/9.  
Oct. 8-14—Fire prevention week. dated 10/3.  
Oct. 8-14—Week for the rediscovery of America. dated 10/3.  
Nov. 5-11—Veterans patriotic week. dated 10/30.

*(To be continued)*

## Notes and Documents

\* In preparing the maps and writing *Records and Maps of the Old Santa Fe Trail*, one of the difficult parts of the Old Trail together with its alternate routes, necessitating much careful study and research, was the Raton Pass stretch, which extended from present Trinidad, Colorado, to Raton, New Mexico.

This was referred to in the old journals and diaries as "extremely arduous and severe," "here the difficulties commence . . . just passable for a wagon," "almost impassable for wheeled vehicles to get over the narrow rock-ribbed barrier," "Originally there was only a mountain trail, considerable labor and expense were required to fit it for the passage of heavy wagons. Kearny drew wagons up and let them down by ropes."

To many it would seem unimportant to determine exactly where the old pass was, any place within a mile or so would do. However, the exact re-location for historical purposes was important because the shifting of position even slightly made a great difference as to the consideration of study of old records. It was absolutely essential from the standpoint of historical accuracy that the true location be ascertained.

Many of the old maps were on too small a scale or not sufficiently accurate to determine the lines within a half-mile or so, and existing historical markers were not properly placed.

Knowing that the Old Trail followed Raton Creek on the north side and Old Willow Creek on the south side, the uncertain and questionable part was the passage over the top or "saddle," being a width of about three miles east and west. Located within this distance during the space of time from 1821 to the present day were the Old Santa Fe Trail (1821), the Wootton Road (1866), the Santa Fe Railroad switch-back (1879), and later the Railroad tunnels, Old Federal Highway 85 and 87, and the new or present highway 85 and 87.

There were numerous "scars" over the ridge or pass consisting of logging roads, roads for the tunnel construction, railroad water diversion ditches, the old railroad switch-back used during tunnel construction, old and new roads from the top to the tunnel portals, and finally among the "scars" were the Old Santa Fe Trail and the Wootton Road. The problem was to pick out the two latter roads and to determine whether or not they occupied the same right of way.

The records of Colorado and New Mexico were searched to see whether there was a reference in Wootton's franchise as to a definite description, but there was none. Deeds and leases were then examined

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\* Kenyon Riddle, *Records and Maps of the Old Santa Fe Trail*. Raton, New Mexico, 1949. The author of the above notes allows the reader an inside glimpse into his procedure in locating the Old Santa Fe Trail.



but no data were found. There had been a serious controversy in the early sixties as to the east and west boundary line of Colorado and New Mexico, and in 1868 the federal court ordered a survey to be made, known as the Darling State Line Survey. An examination of the original field notes gave a "tie" to an astronomical station set by Kearny's engineers in 1846 as well as a tie to the Santa Fe Trail. By setting a transit on the same points and by chaining the distances the trail was accurately located and the old ruts were clearly shown.

To further substantiate the location, a map was obtained from the Santa Fe Railway Co. made in 1876 which referenced their line to the same monuments as used in the Darling survey and which showed the Old Santa Fe Trail in its correct location, and as a final check aerial surveys were used and from the field work on the re-survey the maps were completed.

The original trail was located as the railroad is now, but within a few years of its beginning the wheeled traffic abandoned the south slope and followed a valley one-fourth mile west, which valley joined the original trail as present Lynn, near the south portal of the railroad tunnels.

The ruts of the Old Trail and Wootton's Stage Road are conspicuous from the highway at a roadside parking area 2 miles south of the top of the pass on highway 85 and 87, and by looking up the valley, now occupied by the railroad, one can see the arroyos resulting from the trail ruts. In trail days this was a grassy vale, but arroyos developed because of the ruts worn by travel, erosion by wind and water, and over-grazing.

From the same roadside parking area one can view the streams and washes to the west which intercepted the old trail and road, causing much inconvenience to the early traveler, until Wootton built bridges over them, as noted in Inman's *Old Santa Fe Trail*: "Wootton's work included great hillsides to be cut, immense ledges of rock to blast, bridges by the dozen, clearing and grubbing." These bridges are still in evidence.

The D. A. R. monument on the top of the pass at the side of Highway 85 and 87 is *one-fourth of a mile east* of the Old Trail Pass, and the large monument north of and near the state line is *nearly one-half mile east* of the Old Trail. Since this portion of the Old Trail is not accessible to a public road the markers, in order to be available to highway travel, can only be in the *vicinity* of the actual location, but there should be an appropriate directional sign at each marker. At the D. A. R. marker there should be a sign reading, "one-quarter of a mile west of here is the location of Raton Pass of the Old Santa Fe Trail and the Old Wootton Road," and at the Colorado State monument near the Colorado-New Mexico state line a sign should read, "In the valley one-half mile west of here is the location of the Old Santa Fe Trail and the Old Wootton Road."

To stop at these monuments and look to the west one can see the correct location and visualize how the heavily loaded wagons, military equipment and stage coaches came up the valley and struggled over the top.

With accurate maps and properly placed markers one can find the actual locations of points of interest and view in detail the grounds along the Old Santa Fe Trail. This is particularly true in the unbroken lands where the ruts were worn by the heavy wheels of the freight and settler's wagons, military equipment and great herds of domestic animals. Persons, both old and young, are inspired with patriotism and pride and their interests are multiplied when given the opportunity to see and study all that was done to develop the vast west, all within the past one hundred years.

## SOME LAWS AND LEGAL PROCEEDINGS OF THE MEXICAN PERIOD<sup>1</sup>

### *Collection of Tithes*

#### Instructions Which Should Serve as a Guide to the Collectors of Tithes in This Province

It is most difficult for thoughtful men to believe that they should find faithful Christians who have forgotten the obligations that this most distinguished state imposes upon them, who should be capable of neglecting to render to God, among other attributes, that of the tithes, exact and complete as the Divine Majesty desires, knowing positively and clearly that this pension is designed to support the divine cult with the decency which it deserves, and equally, that with it is maintained the Holy Church, and that we are all obligated for this contribution by natural divine, and human law; but if there should be, disgracefully, such men, in order that they may arrive at a more clear and distinct understanding of their obligations, and become persuaded through their own rationality, they shall be informed of the following Chapters, applicable to this intent [conservientes al efecto].

The legislator and scholar Solarzano in his *Politica Indiana*, Book 2 Chapter 22, says the following: All the men of the world, including

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1. Translated by Dr. Lynn I. Perrigo, Head of the Department of History and Social Sciences at New Mexico Highlands University, in consultation with Dr. Luis E. Avilés, Head of the Department of Modern Foreign Languages, also at Highlands University. In addition, this translation has been compared with one prepared by Edward Torres, and in the case of the one document on *Collection of Tithes* comparison has been made with an additional translation prepared by Fred G. Martinez as part of his graduate work at Highlands University.

[See NEW MEXICO HISTORICAL REVIEW, Vol. 26, No. 2, for a discussion of these documents. The second part of the first series will appear in a later issue.

The above documents represent the first part of the second series of the Torres papers.—Editor]

the sovereigns, without exception, are obligated by natural, divine, and pontifical law to pay to God tithes of as much as their land produces for them, including likewise the Indians and others faithful [sectarios], if they cultivate land which belongs to Christians, and a law of the District [partidos] says the same, adding even more, that Christians have a greater obligation because they enjoy the benefits of the true law<sup>2</sup> and for this reason are closer to God than are the other people; which Holy, Christian, and well-founded opinion is supported and sustained by the Saints, St. John Chrysostom, St. Thomas, St. Augustine, St. Jerome, the Apostle St. Paul, and others, and likewise by the Lateran, Mexican Trent, Liman, and other councils, and finally by many scholars, theologians and jurists, among them being Suarez, Belarmino, Cobarrubias, Renan, Copin, Simion Mayolo, Simacho, Rebrifo, and Juan Andres.

Informed of all of the aforesaid, and for other reasons which our Venerable Catholic Monarch and the Supreme Pontiff may have, the latter resolved to tax and to indicate what should be paid and from what sources [cosas] to our Lord, God, ordering the publication of the intent of his Pastoral Letters, even those pertaining to the punishment upon whoever might incur fraud, and the former ordered printed in Book I, title 16, folio 83 of the Royal Compilation of the Laws of the Indies,<sup>3</sup> among other things, the following: All men who are not exempt by special privilege from paying tithes should pay them in the ensuing manner, from each ten measures, one, and from whatever does not admit measurement from each ten whole parts [enteros], one, and if it does not amount to a whole part, from ten parts of it they should pay one, and in order that the payment may be of great purity, those who pay the tithe may not, first, deduct the cost of the seed, rent, or any other expense, nor pay any debt even though it be owed to the Royal Treasury, and also that from the same Treasury should be made payment in the aforesaid form, putting first above all things, God, our Lord, Creator of all: Likewise this law indicates with complete clarity what quantities and kinds should be paid, and with arrangement as to how it should be collected.

For the surety of all the aforesaid, if any person should resist paying the tithe in the form indicated, then without loss of time he shall be accused before the Royal Justice of original jurisdiction,<sup>4</sup> or military, according to which it belongs, in order that, as instructed, he may be urged to make payment, in a just manner, requesting likewise that the delay may not exceed six days, that the costs and damages which shall arise may be charged to the accused, and for the sake of justice, that a suitable punishment may be inflicted upon him, so that

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2. This may be *luz* instead of *ley*.

3. Thirty-one laws, of which this document is a local interpretation, appear in *Recopilacion de los Leyes de los Reynos de las Indias* (Madrid: Paredes, 1681) I, 83-8.

4. *Justicia Real ordinaria*.

he may be warned and serve as a warning to those who desire to behave in a similar manner.

They shall exercise continuous and particular care to know always on what lands the small flocks are grazing, which come under their collectorship, in order that the collecting of wool will be immediate, at whatever time it is sheared, be it all or part of a large [flock] or all or part of a small [flock], then such wool at whatever time it is cut, is a product which is subject to payment.

An account shall be kept of such flocks, with indication of the owners, and if it is feasible, a list shall be prepared of the number of their heads, as much to collect the wool with certainty as to know, a little more or less, the number of heads which must be collected, and in order that, with such an account, in case a flock shall pass to another collectorship, he could transmit the corresponding list, in order that he may collect it at that place and with a corresponding receipt, with which alone he shall remain satisfied that this has been paid, and likewise he shall serve notice of whatever animal may be removed.

Among those who plant crops, it is customary to have much for verification, and as the harvest is transferred to another, it is necessary that those who plant the fields give the levy, to be designated for collection where the same is raised, reporting to the collector where this appertains . . .<sup>5</sup>

He shall exercise care that the flocks of sheep which move outside of the province, if the appropriate tithe has not been rendered previously, it shall be paid before leaving, and if among it are some females, they shall not be permitted to leave, being of value in the corresponding manner, and he could only give consent if there is a definite permit from the government, showing the number for my information.

Moreover, he must have knowledge of all production and grain fields, in order that with some certainty this can contribute to his making an exception of not a thing among those which are accounted for, therefore so that this order may have some force I confirm that it is not customary [to make any exception] and it is necessary that this be remembered [immemorable].

Immediately upon commencing to gather the tithes, he shall keep for everything an exact list, with measurement of that which admits it, then from it he must prepare two results, the first to know what he has summed up, and the other officially to render sworn account to the Steward Judges.<sup>6</sup>

He shall collect the tithe with such efficacy that he will exact it down to the smallest part which can be divided into ten, taking it from all seeds, adopting measures which may be immediate, and at the instant that they fence . . .,<sup>7</sup> that is what may be first, and with just promptness those persons whom they find give cause for mistrust,

5. The concluding part of this paragraph is faded beyond legibility.

6. *Señores Jueces Azedores.*

7. One word blotted and illegible.



leaving until last that which is certain, and if some may have resisted previously or should now resist, or may knowingly pay inadequately, then he shall adopt measures to take from them, with all of the necessary distrust, and if he finds it necessary, he may do this with the intervention of the Magistrate, inasmuch as he must resort to such procedure against persons who have betrayed such motives, because they certainly are of most wicked conscience.

He shall collect in the same manner from all products even to that which they consume without awaiting harvest-time,<sup>8</sup> and from these green products in that condition he shall collect what corresponds . . .<sup>9</sup> in its equivalent.

He shall collect the tithe for all animals including all burros and pigs, including also the chickens and turkeys, and from all else which is customary, applying for this collection the following evaluations: Colt or filly, thirty reals; calf or heifer, twenty reals; . . .<sup>10</sup> sheep, one peso; lamb, six reals; kid or goat, six reals; pig, according to size depending upon whether it is already weened.

To avoid doubt, the following may serve as the rule:<sup>11</sup> If the person who pays the tithe wishes to keep the animal, he may pay the corresponding amount, and if not, then he should receive what remains, crediting the animal to whoever pays for it, following this order from one [fraction] up to nine but not reaching ten, which is where it corresponds to one unit [entero].

Santa Fe, January 1, 1820

Pedro Armendaris<sup>12</sup>

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8. *sin llegar á cosechar.*

9. Two words faded out.

10. One half of a line here is blurred and illegible.

11. *sirva de gobierno lo que sigue:*

12. Alcalde and prominent citizen. R. E. Twitchell, *The Spanish Archives of New Mexico* (Cedar Rapids: Torch Press, 1914) I, 354, and I-II *passim*.



## Book Reviews

### *Some Sex Beliefs and Practices in a Navaho Community.*

Flora L. Bailey. Cambridge: Papers of the Peabody Museum of American Archaeology and Ethnology, Howard University, Vol. XL. No. 2, 1950. Pp. 108, \$3.00.

This monograph, the third in a series planned to cover the long-time study of the Ramah Navahos, deals with a specific topic within the large subject in the precise manner which is the major methodological aim of Clyde Kluckhohn, director, and of those who have worked with him. The Ramah project, outlined in the introduction to the present volume, is unique in being planned as a piece of research covering a long time span and involving a large number of investigators—mostly graduate students. The intention is that the number of individuals involved in collecting data should obviate the possible biases of interest or temperament which might minimize the accuracy of a report by a single ethnologist and that the continued observations, as in a biological study, should counteract temporal fads in anthropological theory. This technique may likewise lead to new discoveries in culture dynamics.

Kluckhohn had known members of the Ramah group and had spoken their language for some years before the project was begun in 1940. Since that time it has progressed under his field leadership and that of other trained workers. All notes are copied, recorded, and cross referenced in the Peabody Museum, so that data picked up in the field on any subject by any worker is readily available to all, although publication rights on specific matters are recognized for the collaborating workers. Although the work, and especially publication, were set back by the war period, we already have the life history of *Gregorio, the Hand-Trembler* and its interpretation by Alexander and Dorothea Leighton, psychiatrists whose technique of analysis is even more an addition to the field of methodological anthropology than their data on the single individual. Tschopick's paper on Navaho pottery likewise belongs to the Ramah project, although it was

published in another of the Peabody series before the present Ramah Project Reports were inaugurated. Flora Bailey's present work on Navaho sex beliefs and practices is as specialized a study as these others, set against her background of a number of seasons spent in the Navaho country. Her previous publications are several, ranging from technical reports on ceremonies (in part done with collaboration of Dr. L. Wyman) to a children's book *Between the Four Mountains*, describing Navaho daily life as discovered by the young son and daughter of a fictitious anthropologist working on the reservation.

Miss Bailey did the children's book so that young people might better understand living American Indians; she has done the present esoteric paper to concisely but accurately picture Navaho thought and custom in relation to matters of sex and reproduction, an intimate culture-bound subject on which ethnologic data is scanty. Each chapter covers its subject matter through general discussion and illustration, often enlivened by direct quotations from informants, followed by a summary, and concluded with a page or two of footnotes covering references, additional specific data, and comments. Her material covers practices, beliefs, and related ceremonial affairs pertaining to puberty, conception and contraception, pregnancy, birth, post-natal care, care of the post-parturient mother, and notes on unusual births and aberrant practices. Although work was concentrated on the Ramah area, the author's considerable experience on other parts of the reservation permitted the addition of important comparative material.

The difficulties involved in collecting such data are obvious. Miss Bailey explains that her field technique involved considerable reliance on an intelligent interpreter to make contacts and explain her scientific interest, even though she herself understood quite a bit of the spoken Navaho language. At the advice of her interpreter she wore a flowing Navaho skirt of calico as a conversation piece and an indication of her respect for the customs of these people. Navahos are as Puritanical as whites in discussion of sex, and many women felt they must ask advice of their husbands

before they could answer questions. But the general feeling seemed to be that as the whites came to know more about these customs the medical services offered might be appreciably improved, to the benefit of all.

Flora Bailey's present publication may be of limited rather than wide interest, but as an objectively recorded and carefully prepared contribution in this field it has no parallel, either for Navaho studies or for those covering any other Southwestern tribes.

FLORENCE HAWLEY ELLIS

University of New Mexico

*The New Mexican Alabado.* Juan B. Rael. With transcription of Music by Eleanor Hague. Stanford University Publications. University Series. Language and Literature. Vol. 9, no. 3. Stanford, California: Stanford University Press, 1951. Pp. 154. \$2.50. Published also by Oxford University Press.

This volume contains the texts of 89 alabados (as the religious folksongs of the Spanish-speaking folk of New Mexico are known) together with a map of the district in which the songs were collected, a number of interesting photographs, an introductory discussion of the alabado, a tabular analysis of the verse forms of the alabados included in the collection and at the end musical transcriptions of 57 of the melodies and a very brief discussion of the same by Miss Eleanor Hague. In addition, there are included metrical translations by Mrs. Elsie Stebbins of four of the alabados and a glossary of terms. The songs were collected by the author in the form of phonographic recordings (supplemented insofar as the texts are concerned by twenty-one notebooks in longhand furnished by the singers) during the summer of 1940 in the Rio Grande Valley from Santa Fe, New Mexico, northward to Alamosa, Colorado.

Actually, the collection appears to be limited largely to the vocal music of the sect known as the Penitentes to the exclusion of other types of religious music.

This study is a valuable contribution to our knowledge

of these absorbing songs. Professor Rael has approached the subject with a scientific skepticism which is welcome in any serious examination of a subject so closely related to that most unscientific, though utterly charming, region known as folklore, for folklore thrives on colorful, though inaccurate, statements. His introduction and his comments on the individual songs are well documented and seek truth rather than color. There is plenty of the latter in the words and melodies of the songs.

I had the opportunity to check two of Miss Hague's musical transcriptions against copies of the original recordings and found them to be well and carefully done. The problem of transcription presents great difficulties since the melodies and ornamentation change from verse to verse and there are rhythmic variations from verse to verse, syllabic alternating with florid articulation. Furthermore, it is impossible to reproduce the mournful effect of the tone production of the singers.

Professor Rael modestly fails to mention the fact that he has placed his recordings (or at least a large part of them) at the disposal of the public by depositing copies with the Library of Congress in Washington, D. C. This is a precedent which should be followed. No musical transcription can take the place of such recordings and other scholars in this field should be encouraged to place copies of their recordings, and other source materials, in depositaries such as those at the Library of the University of New Mexico and the Library of Congress where other scholars may have access to them.

The work would have been benefited by the inclusion of metric translations of more than four of the alabados. A work published in English should attempt to carry over to the English reader the dignity and beauty of the texts which throw a flood of light upon the character and thought and passion of those who employ them.

It was a disappointment to find that the comments on the music were limited to three paragraphs occupying about one-half of one page in a work of 322 pages. A study of folksong, in order to avoid errors of emphasis and even out-



right errors of fact, must be a collaborative effort of persons competent in the fields of language, literature, music, and possibly in other fields such as ethnology, or at least should be read critically from these points of view. Admittedly this is a publication of Stanford's Language and Literature series and as such stresses the textual aspect of the songs. Yet it would have been a better rounded study if more attention had been given to the musical elements of the alabados. I hasten to add that I have been guilty of this sin of omission, if sin it be.

I am inclined to take issue with Professor Rael when he says that "The alabado is a hymn." Only in the most general definition of a hymn as a religious song can this be said to be true. The alabados bear virtually no resemblance to the hymns of the ancient church, nor to the German version, the chorale, nor to the English hymn. The hymn had its origin as a part of the plainsong of the early Christian church and as such was distinguished from the great body of plainsong by one characteristic, its metrical and symmetrical form. The alabados resemble far more closely other parts of the great body of plainsong than the Ambrosian hymn. Miss Hague has recognized that many of them fall into the class of unmeasured music by omitting time signatures and even in some examples with time signature the number of beats to the measure does not always follow the signature. My acquaintance with many alabados has convinced me that with exceptions they are unmeasured and thus lack the most characteristic feature of the hymn. Furthermore the florid ornamentation, so characteristic of the alabados, is more often found in other parts of the plainsong than in the hymns in which syllabic settings seem to be characteristic.

Professor Rael mentions the use of the reed flute, or pito; there are no transcriptions of the beautiful fioritures which give such a powerful polytonal effect to the music which they accompany. It may be captious to differ again with Professor Rael who says, "The only musical instrument ever used is the reed flute." Nevertheless, at least two other instruments are used to accompany the alabados: the matracas (or rattle) and the palma, a wooden paddle like a ping pong paddle to



which are attached 12 small pieces of wood by means of leather thongs. The eerie pito, the raucous matracas, and the rain-like patter of the palma give no small part of the coloring to this marvelous music. These are of course percussion instruments which would be classified by musicians as musical instruments. In addition, Professor Rael includes a photograph of a member of the brotherhood of the Penitentes holding a drum. I have never heard a drum used in connection with Penitente ceremonies but this photograph indicates that possibly this additional percussion instrument is employed in certain places.

The local New Mexican terminology which characterizes all religious folksongs as alabados is unsatisfactory, as it ignores the great differences which exist between different types of religious folk music. In Mexico, according to Prof. Vicente T. Mendoza, the term alabado is used only to describe those songs which have to do with the life and passion of Jesus Christ. All other religious folksongs are known as alabanzas and these are in turn subdivided into many different types. Since many of these types are recognizable in New Mexico, it would lead to clearer understanding if the appropriate Mexican terminology were adopted or other terms were adopted to describe and differentiate the types. There are, for instance, true hymns (in the sense of the historical definition) in use in New Mexico. But they are very different from, let us say, the religious decima or from the unmeasured alabados of the Penitentes or from the Penitente chants (apparently derived musically from the Hebrew Psalm Tone) used in the churches during the Tenievolas ceremony and others. To lump all of these together under the term alabados is to ignore their differences.

The texts used by Professor Rael are composite versions based in some cases on several different versions. This process of synthesis is entirely appropriate particularly when accompanied by adequate notes such as that at pages 22 and 23 describing the process by which he arrived at his composite text.

The music which accompanies various texts in folk music differs widely and there are several musical recordings in

the Rael collection at the Library of Congress which bear no resemblance to these transcribed by Miss Hague, although bearing the same title. It would eliminate confusion, therefore, if the particular melody transcribed were identified or, where practical, the various melodies were all set forth in the study. In some of the transcriptions the text of the first verse is set forth beneath the musical notes. In others no words are included. I realize that it is impractical and prohibitively expensive to set forth musical transcriptions of all verses with the words of each verse but, particularly when dealing with unmeasured music, the method by which the words are adapted to the music is important from a musicological standpoint at least, and the generally adopted compromise has been to include the words of the first verse. However, there may have been a good reason for this omission.

As for the comments on the music, some tabulation of ranges, scales employed, and of the rhythms, musical forms, and other musical characteristics, as well as some attempt to document or at least argue the opinion (with which, incidentally, I agree in part) that "the roots of this music lie in the Catholic Church ritual," would have been in order.

I cannot agree with the conclusion that they do not lie so far back as to be making use of the ancient modes of the Church. I have collected some examples which I should classify as modal. I think that there is evidence that some of the examples in this volume are really modal. For instance, the second transcription, *Al Pie de Este Santo Altar*, appears to me to be in the Hypo-aeolian mode (incomplete). If it were truly a minor melody, a G sharp would have been called for in the second and fourth measures from the end. Miss Hague would no doubt classify this melody as in the natural minor scale, which is identical with the Aeolian mode. It seems more logical, in view of the probability that these melodies are derived from plainsong, to classify it as a modal melody. III, *Por el Rastro de la Cruz*, appears from the transcription to be in the Aeolian mode, otherwise an E natural would again have been called for. In example number seven, *En Una Corporacion*, the alteration of a natural to a sharp follows one of the rules of the mediaeval practice of

musica ficta which results in true modulation in the modal sense between the Ionian and Aeolian modes. It must be remembered that our major scale was known in the sixteenth century as the Ionian mode. Example number eight appears to be another case of modulation between Ionian and Aeolian modes.

Notwithstanding these comments (which I hope will be taken in the friendly spirit in which they are offered), I commend this work to all students who wish to know more of the New Mexican Alabado.

J. D. ROBB

University of New Mexico

*Lieutenant Emory Reports.* A Reprint of Lieutenant W. H. Emory's Notes of a Military Reconnaissance. Introduction by Ross Calvin, Ph.D. Albuquerque: The University of New Mexico Press, 1951. Pp. iii, 208. \$4.50.

It is nearly always a satisfaction to have an old document of historical significance reissued, even though circumstances may require its presentation in shortened form. Whoever is interested in southwestern history will probably welcome this condensed version of Emory's famous journal, one of the first reliable descriptions of at least a portion of the country between Santa Fe and southern California. Minus most of the precise scientific data found in the appendix of the original edition of a century ago, the present reprint still has considerable value for quick, easy reference purposes as well as for its intrinsic interest.

Not much need be said of Emory's literary style or of the validity of his judgments. He was, after all, making a "quickie" tour through the Southwest for military purposes in 1846-1847. Such errors as he made are quite excusable, if we consider that he was, along with Captain Abraham R. Johnston, a first observer of the region thru Anglo-American eyes, and largely dependent upon hearsay for information about any part of it off General Kearny's route. As such his journal still seems full of a freshness of style and an almost boyish curiosity about the strange new land. His account of

the campaigns in southern California is also pleasantly free from rancor and prejudice against Mexicans.

On the whole, the editing, notes and introduction by Dr. Calvin are well done. There are few typographical errors and those of no importance. One is tempted to ask the editor, however, why an old and nearly self-sufficient, isolated frontier community like New Mexico should have any other kind of agriculture than "only subsistence farming," or why the New Mexicans should be expected to practice any industry beyond that necessary for purely domestic uses (Introduction, p. 14). Subsistence farming and domestic industry have for centuries been adequate for Mexico and are still to be found in parts of the country. It might also be pointed out (note 95, p. 203), that the famous Casa Grande is not near the town of that name in Arizona, but is rather in the outskirts of the town of Coolidge.

One of the more commendable features of the book and one which could hardly have been omitted, is the reproduction of pertinent portions of Emory's well known map. It is regrettable, to this reviewer at least, that one or two of the inimitable old-time sketches could not also have been included, just for the sake of flavor—perhaps that of the Casa Grande, or the Gila-Colorado junction, or an Indian portrait. Possibly a short index might likewise have added to the convenience value of the work. But it is still a very desirable volume, and both editor and publishers are to be congratulated upon it. A hope might also be expressed for future reprints of other Emory writings, or those of later boundary surveyors. Some of their accounts are fully as interesting as Emory's.

RUFUS KAY WYLLYS

Arizona State College

*Report of Miguel Ramos Arizpe to the Spanish Cortes, November 7, 1811.* By Miguel Ramos Arizpe. Translation, Annotations and Introduction by Nettie Lee Benson and published by the Institute of Latin-American Studies,



University of Texas, No. XI. Austin: The University of Texas Press, 1950. Pp. 61.

Miguel Ramos Arizpe, a priest and deputy for the Province of Coahuila to the Spanish Cortes, was one of Mexico's great liberal leaders, deserving to rank with such men as Dr. José María Luis Mora, Gómez Farías, and Benito Juárez. Since he was the person chiefly responsible for the formulation of the federal Constitution of 1824 under which Mexico lived for ten years and which served as the model for the later liberal Constitutions of 1857 and 1917, it is of value to study this report, made in the last years of the colonial era, to the Spanish Cortes on the natural, economic and civil condition of the four Eastern Interior Provinces of the Kingdom of Mexico: Coahuila, Nuevo León, Nuevo Santander and Texas. The first twenty-two sections of the report summarize economic, social, educational, military and governmental conditions and defects in the Spanish administrative system in these four Provinces. Sections twenty-two through thirty-one contain the deputy's forthright but respectful recommendations for reform.

For his expressed liberalism, Miguel Ramos Arizpe was imprisoned for six years. To give some idea of his liberal views, the following statements from his report are worthy of note. Ramos Arizpe, born in San Nicolás on the northern frontier in 1775, had come to love the land and in speaking of agriculture he said, "it is the source of the true wealth of nations, the worthy occupation of man, the principal foundation of the most solid happiness of the citizen and the most secure wealth of the state." In describing the people in the provinces, he reported: "Agriculture has in general formed their character, and as they have been employed day and night in the harvest and systematic cultivation of the soil, from which alone they derive their sustenance, they are truly inflexible to intrigue, virtuously steadfast, haters of tyranny and disorder, justly devoted to true liberty and naturally the most inclined toward all the moral and political virtues." In his report, Ramos Arizpe denounced all forms of tyranny, and he favored local and provincial autonomy



as one of the safeguards against it. His ideas on government sowed the seeds of federalism, and he later penned the first federal constitution for Mexico.

Ramos Arizpe was a man of vision, and in his report he pointed out the latent economic possibilities of the area. He encouraged immigration into the northern provinces to offset the retarding influence of underpopulation. At the same time and as another reason for populating this region, he recognized the growing power of the United States to the north and her growing interest in the great Southwest. He observed that taxation and transportation costs had made it almost impossible for the peon to live. For example, "of what advantage can it be to the hungry to have flour if it costs more than the whole is worth to make it into bread?" To encourage commerce and industry, Ramos Arizpe suggested that special organizations be established for that specific purpose.

Ramos Arizpe decried the lack of educational facilities in the provinces of Coahuila, Nuevo León, Nuevo Santander, and Texas. Students of Texas history will recall that this continued to be reason for discontent and was one of the causes for the Texas Revolution. He pointed out that "public" education is one of the first duties of every wise government" and that "only despots and tyrants keep the populace in ignorance in order the more easily to violate their rights." Education, he believed, was the fundamental "basis of general happiness and prosperity" of all people.

Referring to the colonial administrative system and existing governmental conditions, Ramos Arizpe observed: "And as might has prevailed, the most sacred rights of man have been trodden under foot and measures adopted to insure on the throne and in its surroundings stupidity, arbitrary power, despotism, and a thousand times vice itself. To this end, the other aggregates of ignorance were utilized. The study of natural law and the rights of man was prohibited." No wonder, then, when Ferdinand VII returned to his throne in 1814 and autocratic government was reinstated, Ramos Arizpe was imprisoned for these statements. While he was in prison for his liberal views, his influence was felt through-

out Latin America through his *Report*. It was translated into English and was widely circulated in both English and Spanish.

Possibly the greatest importance of Ramos Arizpe's *Report*, says Miss Benson, who has done a splendid piece of work in translating and annotating it, "is the insight it gives into the character and ideas of the father of the Mexican Constitution of 1824, which served as the framework of the present Mexican Constitution." On the whole it would also seem that his *Report* was a "conservative rather than an exaggerated picture of the natural condition of the four Eastern Interior Provinces of North America" at that time and hence its importance and interest today to students of Mexican-United States relations, particularly to students of the history and development of the Southwestern United States. Teachers, as well as students, of the history of the States of our Southwest will certainly profit from reading this interesting *Report to the Spanish Cortes*.

The Institute of Latin-American Studies of the University of Texas is to be congratulated on the selection and publication of this essential document as Volume XI in its Latin-American Studies series.

THOMAS E. COTNER

U. S. Office of Education  
and George Washington University

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Lieutenant Royal A. Prentice

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## THE ROUGH RIDERS

*By* ROYAL A. PRENTICE

### *Personalities*

A SHORT synopsis of my personal history will be on an average the story of each man in Troop E.<sup>1</sup> My parents moved from New York State and arrived in Las Vegas, New Mexico, in the early part of the year 1879, before the railroad had reached that point; the latter part of the trip was made by buckboard drawn by a pair of mules. Our home remained in Las Vegas, but my father bought a ranch near the junction of the Tecolote and Pecos Rivers and some of my earliest recollections are of my mother riding "Side Saddle" with long flowing skirts as she accompanied my father on various horseback journeys throughout the district. Mother was an expert horsewoman, but it is still a mystery to me how anyone could keep a seat upon a pitching horse, riding side saddle. During the winters I attended school in Las Vegas, but late spring, summer and early fall was spent upon the ranch.

In those days, as now, cattle raising was the principal industry of the Territory, seconded by many residents of the settlements who busied themselves in the art of relieving the cowmen of their surplus cash by means of games of chance of every description. Everyone kept horses and they were used in the same manner that autos are kept today for

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1. The narrative pertains strictly to happenings in Troop E, Captain Fritz Muller, commanding. We were kept so busy with troop duties that we had no opportunity to visit, or become acquainted with members of the other Troops of the Regiment, much as we would like to have mingled with them.

running errands and in attending to one's daily business. Everyone carried, or was supposed to have on his person, a six shooter, derringer, pepperbox, or with some a bowie knife. When traveling, a saddle gun, or carbine, was carried under the skirts of the saddle. Life in the communities was a mixture of gay hilarity mixed with stark tragedy.

When New Mexico was a part of Old Mexico, the Government of Mexico made grants of land to many of its citizens provided they would move to New Mexico and establish colonies. Later these grants were confirmed by a United States Court of Claims, but at that time eastern interests had entered the Territory, bought up titles to these grants and later had them confirmed for an acreage many times greater than that intended by the Mexican Government. In the early 1890's the owners of these grants began court proceedings to dispossess the settlers on the grants with resulting bitterness and ill-feeling followed by the cutting of fences, stealing cattle and other depredations by groups wearing white hoods similar to present day Ku-Kluxers; these groups were so powerful that the regular officers of the law were unable to cope with them, and the "White Caps" gradually deteriorated into gangs of outlaws engaged in thievery and murder.

To partially meet the situation a company of the National Guard was organized in Las Vegas as Company I, otherwise known as the "Otero Guards" in honor of Miguel A. Otero, a Las Vegas boy, then Governor of New Mexico. These men, acting as guardsmen and as individual members of posses, became active in breaking up and exterminating the members of the gangs and by 1897 they were entirely destroyed so that the gangs were no longer a menace to the community, but in the process the members of the Guard unit became highly skilled in methods of "Indian Warfare" and were quite accustomed to hear rifle bullets whistling by them, luckily but few such bullets found their mark. The Company was made up of men native to New Mexico of Spanish descent together with Anglos who had moved into the Territory from the East, all of whom were equally at home speaking either Spanish or English; they were experts

in the use of firearms; they firmly believed they could ride anything that walked, and with their slickers and saddle blankets in which were rolled little bags of flour, bacon and coffee, with a lariat fastened to the saddle horn, they could get along anywhere in the open, provided they had a horse to ride; on foot, with their high-heeled boots, they were practically helpless.

As the Cuban Revolution gathered speed, culminating in the blowing up of the Maine, popular demand throughout the country for intervention increased and the members of Company I felt certain they would be called into service; they put in more time at drills and in making long marches in preparation for such hoped for service, but it soon became apparent that it would be a long time before units from New Mexico would be called, as the more populous eastern States with their organizations with many years' experience would be first enlisted.

### *The Organization of Troop E*

One afternoon in the early spring of 1898 one of my friends who afterwards became my bunky, Sergeant Hugh B. Wright, came to see me with the news that the then Assistant Secretary of the Navy, Theodore Roosevelt, was organizing a regiment to be made up of men from the Southwest; men who could ride, were familiar with the use of firearms, and who could care for themselves with only their horse, slicker and saddle blankets, and the press dispatch which he showed me contained a promise that the men who enlisted in this organization would see fighting, and that it would be a regiment of cavalry. Within two hours after the receipt of the message a group left Las Vegas bound for Santa Fe which had been designated as the place for assembly.

At Santa Fe we were assigned quarters in one of the barrack buildings of Old Fort Marcy which had long since been abandoned. The room was completely devoid of furniture, but we obtained a blanket apiece from the National Guard Company of Santa Fe and as for meals, we got them when and where they happened to be available. In a few days



we were joined by men from Clayton, Cerrillos, and other scattered communities so that the complement of our Troop was soon completed. We held a meeting of the men and decided to join the men from Santa Fe; we then elected Fritz Muller, formerly a member of the Sixth Cavalry and later Captain of the Santa Fe Company of the New Mexico National Guard, as the Captain of Troop E, and we never had cause to regret our choice for he was in every way qualified for leadership, and no better soldier or finer gentleman ever lived than Captain Muller. *Requiescat en Pacem.*

From some unknown source we were issued the old style blue uniforms worn by the army, together with the type of caps worn by the soldiers of the Civil War, but the uniforms were trimmed with the white of the Infantry which we soon changed to the Cavalry Yellow from some bolts of cloth found upon the shelves of one of the stores. Shoes were a problem as nearly all of the men wore high-heeled cowboy boots which were entirely unsuitable for walking and nearly impossible for dismounted drill. It was ludicrous to watch some of the troopers, while drilling, attempt to change step; some of the older men never did learn the trick.

All of us were busy during the day and far into the night at various tasks which we deemed to be of importance; Troops F, G, and H came in and were quartered in barracks adjoining ours, causing immediately heated discussions as to the relative capabilities of the various officers, their Troops, and the individual members; the arguments many times resulted in fist fights, to the great enjoyment of the onlookers, but such skirmishes only resulted in welding the squadron into a closer and better organization, tempered with mutual respect. One rule was agreed upon by all; the use of a certain phrase indicating some relationship between a trooper and a member of the canine family constituted fighting words, and to this day when I hear the phrase used I immediately look for the resulting fight. All in all, the troopers were well behaved; everyone was trying to conform to regulations and become a good soldier, and the very few who failed to enter into the spirit pervading the camp were quietly dropped.

One day word was brought that Governor Otero wished to see me; I called upon the Governor and was told that he intended to give me a commission, but it would have to be in a troop other than Troop E; I begged off and asked to be permitted to go with the other boys in Troop E as a non-com. Fate is peculiar, had I accepted the commission I would have been attached to one of the Troops that were left behind to take care of the horses and would never have gotten to Cuba.

Finally word came that we were to be sworn into the service of the Government of the United States. It was a solemn moment for all; many attended at the Cathedral, others attempted to furbish up their equipment, others just stood around talking excitedly until we were formed in line on the Plaza in front of the Old Governor's Palace, (A fitting setting for the ceremony) where the oath was administered and we became the Second Squadron of the First Cavalry, United States Volunteers, and from that time we attempted to conform to Army Regulations.

One of the hardest lessons we had to learn was that of unquestioning obedience to an order; it was so easy to ask "why," and then enter into a discussion as to the necessity of carrying out the mandate of the order, or to point out the benefits to be derived from putting off its execution until tomorrow, the latter in particular as we had been raised in the "Land of Mañana," but we soon overcame this trait and the phrase "Its an Order," settled all argument. Captain Muller early impressed upon us the fact that when he issued an order he considered the matter as settled and the order carried out.

### *Assembling the Squadrons*

After being sworn into the service we entrained for San Antonio, Texas, which had been designated as the mobilization point; the trip was practically without incident, other than being rather monotonous. Most of us were unfamiliar with the cotton industry, although we had read and heard of many incidents connected with cotton raising, so that the cotton fields, cotton gins, cotton compresses, and the

storing of baled cotton along the way became a subject of interest. I recall one incident of the trip; upon arrival at Gainesville, Texas, one morning we found the station platform crowded with young ladies wearing sunbonnets and busily engaged in serving hot coffee; never before or since have I seen a group of girls that could compare with those girls with their fresh beauty and laughing eyes all framed by the becoming sunbonnets. We all wanted to arrange for round trip tickets back to Gainesville! When our blue uniforms were issued to us at Santa Fe it was impressed upon us that the brass buttons on them were valued at fifty cents each and that we would be held responsible for their remaining on the coats until they were turned in. In those days the girls used such buttons to be made up into hat pins, certainly they were lethal weapons, but when we pulled out of Gainesville there wasn't a brass button in the entire squadron; however, horseshoe nails make fine substitutes.

Upon arrival at San Antonio, Texas, we detrained at Riverside Park, a former race track and fair ground located about five miles from downtown San Antonio, and were there given quarters upon the floor of the Pavilion. Since we were tired from the train trip we turned in early and soon everything was quiet and peaceful, but not for long as I was awakened with a start to find a shoe that someone had thrown wrapped around my head; having no immediate use for the shoe, I threw it back to the owner, but in the darkness aiming was bad for it struck and aroused another sleeper and very soon the pavilion was a pandemonium of flying shoes, and everything else that could be thrown, so that we all broke for the open and spent the rest of the night in the open. The next day the boys from Arizona claimed to have won the first skirmish as they stayed in the pavilion, nevertheless, we moved and found quarters upon the benches of the grandstand where we remained for the rest of our stay in reasonable peace and quiet. Some of the troops got hold of shelter tents and pitched them in front of the pavilion, but they must have been uncomfortable as it was hot and the grounds were very dusty.

Guards were stationed along the fence surrounding the

grounds, but we managed to so loosen a board that it would swing aside and permit passage, and after the day's work was done there would be hardly a man left in camp, as each troop had its own gateway. At roll call one or two of the boys would answer to each name and then report made to the officer of the day "All present and accounted for," but there is little doubt that he placed much reliance upon our veracity. By watching the man on guard there was little trouble in getting out through the hole in the fence, but it was a different story when returning. Troop E had a program that solved the difficulty; during the day word would be passed that a certain platoon would be excused that night, the only requirement being that all must be at the hole by midnight. At midnight Captain Muller would walk along the guard lines and engage the guard in conversation together with a detailed explanation of the duties of the guard and the proper method of walking a beat; in the meantime shadowy figures eased through the hole and rolled out upon the parade ground. In a very few days economic conditions made the hole useless; cab drivers charged five dollars for the trip to town where gambling was wide open and in no time the Troop was cleaned out of cash.

The water at the Park came from artesian wells; it was warm and insipid while outside was a beer stand with ice cold beer and how we longed for just one bottle after drilling in the hot sun. One day when we had marched seemingly for hours over dusty roads and through dense thickets in the blazing heat, Colonel Roosevelt directed the proprietor of one of the beer stands to give the men what they wanted; nectar never tasted as good as that beer, but at no time did I ever see such courtesies abused.

At another time we were invited to attend a band concert at a pavilion near the Park; toward the close of the program the band played a selection called "Custer's Last Charge," during which members of the band fired several shots. This must have stirred memories in the mind of some trooper in the audience, for he blazed away and shot out one of the electric lights; immediately every light became a target and in no time at all all the lights were shot out—the



band scrambled from the stage, women screamed and we ducked and drifted back to quarters like little boys who had been caught in the jam closet. The next day the *San Antonio Light* carried a blistering editorial regarding the occurrence, and I believe they were the first to call us "Rough Riders," nor did they mean it as an honorable designation.

I recall another incident while at drill in column of fours, I was at the head of the column and Captain Muller was nearby, at the side, and the column was headed straight for a railroad cut about twenty feet deep with a railroad track at the bottom; as we approached the brink I had visions of men and horses piled in an inextricable mass upon the track at the bottom. We kept listening for the trumpet to direct a turn, but none came and I could see that Captain Muller didn't like the prospect any better than did we, but over we went, the men freeing their feet from their stirrups as the horses slid down the wall; luckily the horses landed on their feet and during the moment's hesitation of the men at the top the men below were able to move out of the way so there were no resulting casualties. Of course, it was an oversight on someone's part in failing to give the proper command; nevertheless, it was a lesson in obedience to orders that was well learned and thereafter became invaluable.

The horses that were given to us were mostly unbroken range horses, with a sprinkling of outlaws, but to us from the short grass country they were welcomed like long lost friends. Our Troop were given white-faced sorrels; the one I drew was a big rangy outlaw with a bad eye and badly locoed; however, we got along famously together and he really seemed glad to see me again when our horses were returned to us upon our arrival at Camp Wikoff, Montauk Point, Long Island. After getting our horses it was a sight for sore eyes to witness our first attempts to form a line while mounted; the horses hadn't the slightest idea of what was wanted of them: some of the horses seemed to think we were getting ready for a race while others considered it a free-for-all and proceeded to pitch, bite, strike and kick at everything near them. In a comparatively short time we had



the horses gentled so that they would quiet down after a half hour's tussle in the morning.

Our first drill consisted in forming a line in extended order leaving about three feet between each horse in order to keep them quiet, and after hours of work we finally obtained the semblance of a line and the order was given to march. At that time one of the men considered such an auspicious occasion should be celebrated and yanked his six shooter and fired into the ground at the side of his horse with the immediately resulting celebration turning into a howling success; every horse in the line decided to go elsewhere without delay. There was a creek with banks about six feet high at the far end of the parade ground and many of the horses made a bee line for this creek and into it with their riders from which they came out wet and bedraggled, the men with blood in their eyes and guns in hand demanding that they be shown the trooper who fired the shot. Needless to say he remains unknown to this day.

One day word was passed around that we were to have a grand review and inspection by a high regular Army officer, so everyone got busy polishing equipment, shining brass trimmings and getting clothing neat and clean, so that when the time came for us to pass the reviewing stand we felt that we were making a splendid showing; this must have been true because the reviewing officer stated that he had never witnessed a worse demonstration.

We had considerable difficulty in getting used to the McClellan saddles used by the Army as they were not intended to be used for breaking broncs, but later we found them very comfortable and well adapted for the use for which they were intended; the same held true for the Army shoes, they looked rough and clumsy, but later it developed that they were the most comfortable shoes we had ever worn. We were equipped with long cavalry sabers, but drilled with them very seldom and never became accustomed to their use; during drill when mounted we did not draw them as we were likely to hurt ourselves, and when dismounted they would swing around between our legs, tripping us into a nasty fall. Upon arrival in Cuba we discarded them

and equipped ourselves with machetes taken from the Spaniards as we found them on the battlefields; the machetes were very practical. At San Antonio, Sunday afternoons were devoted to the reading of the Articles of War to the Regiment while the men were drawn up in formation and standing at attention; the reading took about two hours and it was a real penance as no one knew or cared what the Articles were about, and the sun was blistering hot!

Finally, if memory serves, about the Ninth of May, 1898, we were directed to entrain for Tampa, Florida. I was in charge of the train carrying the horses and equipment of E Troop and it turned out to be one of the pleasantest experiences of the campaign. At the end of each day's run we stopped at stockyards where the horses were unloaded, fed and watered by the railway employees who gave us the use of a switch engine to take the men into town for the evening. One night we unloaded at Algiers, Louisiana, and crossed the Mississippi River to New Orleans for the evening; I felt sure the men would not get back in time to leave next morning, but at roll call every man was present. Passing through Georgia we were furnished with a small woodburning locomotive and at the slightest indication of an upgrade it stopped while the negro firemen carried cordwood from piles along the track and fed the furnace until we had steam enough to reach the top, in the meantime we strolled along the right of way and learned something about the manufacture of turpentine. Upon arrival at Tampa we found no chutes through which to unload the horses and they were forced to jump from the cars to the ground. All in all, none but a bunch of range horses could have survived the various adventures encountered by those horses.

Our stay at Tampa was rather uneventful as we were kept busy getting up our shelter tents, caring for the horses, getting our equipment in good order, with some drilling. In digging the pit for one of the latrines I was told that an alligator was dug out of the sand and mud. At another time some regular troops had gotten out of hand over in the town of Tampa, and were literally tearing up the place. A call was sent over to our camp asking us to go in and restore

order; we left hastily with high expectations of a good scrap, but upon our arrival everything had quieted down and there was nothing for us to do.

We had in our Troop a Baptist Minister named Morrison, a good man and a good Trooper, but he knew little about riding broncs. The Cavalry spurs have small rowels with sharp points and they will cut a horse badly if improperly used. Most of us rode bareback most of the time while attending to our various duties, but we were careful never to wear spurs. However, some of the men persuaded Morrison that he should wear spurs, and if his horse pitched to jam the spurs into its side and thus hold on. The results were disastrous; the horse, of course, went wild, ran down by the railroad and threw Morrison against a coal car so that he was crippled and laid up for many months. Morrison had the longest mustache I ever saw; while eating he had to use one hand to raise the drapery in order to get the food in his mouth. I have often wondered whether he lost it in the hospital.

Young colored boys frequented the camp; we used them to good advantage to help us with our chores and they in turn taught us many of the secrets required to properly roll 'em for a seven. The pictures taken after we left camp were given me by a fellow Trooper. The boys left behind are entitled to as much, or more credit than we who went across. It was a terrible disappointment to them.

My tent was at the end of our street, immediately opposite Regimental Headquarters. While sitting in front of my tent one day I heard a discussion going on over the fact that orders had been received directing that our Regiment be sent to Cuba as dismounted cavalry, the horses to be left at Tampa until a later date, and one Troop out of each Squadron was to be left behind to care for the horses and equipment. I immediately reported to Captain Muller and he lost no time in presenting himself at Headquarters and obtained the assurance that Troop E would not be left behind.

On the Seventh of June we were ordered to break camp and move over to the railroad track where we would entrain

for Port Tampa and there get aboard our transport. Early in the day we had everything packed into our blanket rolls and again encountered the bane of a soldier's life, waiting for something to happen. Some of the men started poker games, while others busied themselves hatching up rumors to be transmitted by grapevine, but finally we moved over to the railroad track and again waited in expectation of a train that would take us the eight miles to Fort Tampa, but none came.

About daylight an engine hauling some empty coal cars appeared and were stopped; some of the officers arranged with the train crew to take us to Port Tampa where we unloaded on the docks for another wait running into hours while our officers tried to find out something about the ship we were to take and when we could get on it. In some way they captured the *Yucatan* and we were told that other troops were trying to get aboard and it was up to us to get there first. Needless to say, we needed no urging and were on board even before the gangplanks were lowered. The boat was a small one and we filled it from the lower hold to the top deck; every inch of space was taken. My space was on the deck, immediately in front of the door of the stateroom occupied by one of the ship's officers and every time he came out of his stateroom he took great delight in stepping squarely on my neck or shoulders.

After we boarded the transport, the ship pulled out into the Bay and there we stopped for a number of days during which time we amused ourselves by laundering our clothes and swimming about the ship. We had been issued a coarse, yellow soap with wrappings stating that it was "Salt Water Soap" and guaranteed to lather freely and bring clothes out white when washed in sea water; the maker of the guaranty must have had his fingers crossed when writing it out. The sailors on the ship put in their spare time narrating the phenomena which we would encounter on the sea in the nature of waterspouts, hurricanes, the Sargasso Sea with its Doldrums, together with the venomous reptiles, boa constrictors, gorillas, giant land crabs, monkeys that threw coconuts with deadly aim and even wild men inhabiting the



jungles of Cuba. All stories were duly transmitted by grape-vine, with such embellishments as came to the mind of the instant narrator.

Among these stories there was one to the effect that Tampa Bay was infested by Man-eating sharks and that, since the arrival of the transports, great schools of such sharks had arrived in the Bay; thereafter we swam in relays and those men remaining on the ship were lined along the rail with their carbines and by firing over the swimmers' heads they were supposed to keep the sharks at a distance. I don't know whether such sharks are found in Tampa Bay, but while swimming one morning the men commenced shouting "Shark" and firing at the water back of me; I thought it was a joke until happening to look up at the bridge I saw the Ship's Captain yelling and swinging his arms directing us to come in quickly. You may be sure right then the world's swimming record for speed was broken. Finally the fleet got under way and we left the sea-green water of Tampa Bay and the Gulf for the blue of the Caribbean where the Atlantic waves caused the ship to roll considerably, to the discomfort of many of the men.

We had been held in Tampa Bay so long that our rations began to run low and we were issued canned tomatoes, hardtack, occasionally a can of peaches with condensed milk together with canned beef (which was unfit to eat and was thrown out the port holes). At first there was plenty as many of the boys were not eating, but soon a can of tomatoes, a can of peaches and a can of milk was issued to eight men, together with unlimited supplies of hardtack. The cans were opened and passed around the squad and each man took a spoonful from the can as it passed, AND NO MORE! After two weeks on shipboard before landing this fare had made the men ravenous, so much so that some of the men who were more familiar with life on shipboard than others paid the dining-room steward five dollars a meal for the scraps coming from the officers' tables. The night before we landed we gained entrance to the ship's galley and, finding the necessary ingredients, began turning out great pansful of biscuits and these, with great cans of imitation preserves,



were passed out to the men throughout the night and it had a wonderful effect upon the men the next day during the strenuous work of landing.

Several incidents occurred on the trip over; as we look back at them some were ludicrous, while others might well be forgotten. One day a small dispatch boat came alongside with orders for our transport to drop back and accompany another transport which was towing some sort of landing barge and therefore it was unable to keep up with the rest of the fleet. We felt very proud of the fact that we had been selected as an escort to protect the lagging transport from Cervera's Fleet. One day a smoke was seen on the horizon and the grapevine reported that it was one of Cervera's battleships coming up to attack; we got out our carbines, cleaned and oiled them, saw that our belts were filled with cartridges and made all necessary arrangements to give that battleship a hot reception and protect our convoy; however, Cervera's battleship was saved from destruction from our carbines because the smoke was being made by one of our own ships.

We had Guard mount each day on the ship and guards were posted at strategic places, among them a post away down at the bottom of the ship in Stygian darkness among boxes and bales and miscellaneous cargo. I was put on duty as Sergeant of the Guard one rainy afternoon; we were so crowded that the sentries could not walk a beat and in fact there was no way to distinguish a sentry from a man off duty. About midnight I changed the guard and directed the sentry who had the post at the bottom of the ship to take his blankets along and make himself comfortable and he would be called in time for breakfast. Going on top I found the rest of the sentries resting comfortably, so crawled under a canvas stretched over a boom and retired for the rest of the night.

We had on board some officers and men of the Second Cavalry and one of these was the officer of the day. Probably he couldn't sleep, but in any event during the early hours of the morning he decided to make the sentry rounds. I was not to be found, the other sentries could not be distinguished

from the rest of the sleeping men, but down in the bottom of the ship he found poor Ben Seaders wrapped in his blankets and sleeping peacefully against one of the ship's stanchions. As no one in charge of the guard could be found, the officer had to content himself to wait until we got around for breakfast when Captain Muller, in his quiet way, came over to inquire about the night's happenings and told me that Ben had been arrested and was locked up some place on the ship and there was talk that he was to be shot at sunrise for sleeping at his post. Captain arranged for me to meet the officer of the day and the officer of the guard and I explained the situation to them; it must have been satisfactory for Ben was released and I never heard anything more about it. One day we were startled by a gunboat steaming up to us inquiring if our officers needed help; it later developed that the fleet's grapevine reported that we had mutinied and taken over the ship, for what ultimate purpose remains a mystery unless it was to end the War by delivering our cargo of canned meat to the Spaniards.

There was a narrow passageway passing by the ship's galley with a window protected by bars similar to those used by bank tellers, with an opening on the lower side about 2½ inches high. The cook took great delight in setting fragrant pies and other pastry in front of this window so that we got the full benefit of this aroma in the passageway. Naturally the boys watched their opportunity and tried to slip a pie through the opening, when the cook would take a chop at the hand with a butcher knife. The day before we landed the cook cut a nasty slash on the hand of one of the boys which increased the bitterness we felt against him. Getting into the galley that night the cook was missing and we never heard of him again.

While waiting for the landing boats to take us off the transport, the sailors detailed to us again the perils of life in the tropical jungles; how we must never eat any of the fruits because of yellow fever; that limbs of trees overhanging the trails must be watched lest it turn out to be a boa constrictor waiting to entrap an unwary trooper in its

folds to be slowly crushed to death, combined with detailed instructions regarding the manner in which a knife should be used in order to cut loose from the folds; of the accuracy by which gigantic monkeys could bean one with a coconut from the top of a palm tree; that we must never sleep on the ground, but use a hammock, because of enormous land crabs that could pinch off an ear or a nose at one fell swoop; of the deadly bushmaster that struck without rattling, and worst of all the ever present scorpions whose sting meant instant death; in fact it began to appear that if the Spaniards could keep us in the jungle for a few days we would be so decimated as to become their easy victims. After landing one of the men was stung on the end of the finger by a scorpion and he promptly whipped out his pistol and shot off the end of the finger. Later we found the scorpion's sting was something like the concentrated sting of a hive of bees, but it was not fatal.

*(To be continued)*





FORT UNION - N. Mex  
 POST CHAPLAIN'S QUARTERS  
 1884

MRS. LA TOURETTE MAJ. J. A. M. LT. COL. H. R. MIZNER MRS. GENEVIEVE  
 LA TOURETTE 10 INF POST CO. D. LAT COLLINS  
 POST CHAPLAIN



## FORT UNION MEMORIES

*By* GENEVIEVE LATOURRETTE \*

FORT UNION, N. M., up to the time of its abandonment in 1890, was one of the most important posts on the frontier. It is located on a plateau of many miles of reservation. The quarters are built of adobe—most comfortable both in winter and summer owing to the very thick walls and spacious rooms. The climate is most bracing and healthful, so conducive to health and comfort.

The line of officers' quarters consisted of eight double sets, and facing these across the parade ground were the enlisted men's quarters, mess halls, and the adjutant's office. The line of officers in the quartermaster's depot was separated from the line officers by a road leading to the post traders store and other buildings pertaining thereto. The depot, a continuation of the line officers' quarters, composed of four double sets, followed by quarters of several sets used by the quartermaster sergeants and other employees of the government, and the post quartermaster's office, were separated from the former by a fence which inclosed the q. m. depot on both sides. Opposite the depot officers quarters, across a small parade or square, were the q. m. store houses, and cavalry stables. The hospital was located about four hundred yards outside the post.

Troops stationed at Fort Union during the time my father Chaplain James A. M. LaTourrette was stationed there—September 1877-1890—were the 15th, 9th, 23d and 10th Inf. and the 9th Cav. The Commanding officers of these regiments were—Maj. Edward W. Whittemore, 15th Inf.; Col. G. O. Haller, 23rd Inf., retired for age, and succeeded by Col. Henry M. Black; Col. Henry Douglass, 10th Inf., retired for age, and succeeded by Col. Henry R. Mizner.

The Arsenal, which was about a mile from the post, was

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\* Daughter of Major James A. M. LaTourrette, Chaplain, Fort Union 1877-1890. Married to Major Joseph H. Collins, Assistant Surgeon, Post Hospital.

Submitted for publication by James W. Arrott, Sapello, New Mexico, by courtesy of the late W. J. Lucas, Las Vegas, New Mexico.

commanded by Capt. W. R. Shoemaker, who had held that position during 35 or 40 years, and was very highly respected in the surrounding country. That very courtly old gentleman, who evidently did not believe in the progressiveness of that part of the frontier—could not be persuaded to ride on the Santa Fe R. R. when it made its appearance in 1879, and had not been to Las Vegas for many years. He preferred his seclusive life within a certain radius of the arsenal and the garrison, and was constantly in the saddle, a wonderful horseman, even though in his eighties. His eccentricity, perhaps, was due to his extreme deafness, which was a great detriment, yet he could not be persuaded to use remedies—rather (they used to say) preferred to have the ladies put their arms around his neck in order to make him hear—and very loud they had to speak too!

The arsenal was large and for many years supplied ammunition throughout the territory.

The daily routine of the soldier began with the rising of the sun—firing of the cannon and hoisting of the flag—followed by the bugle sounding call for breakfast—after which there was drilling of various kinds, target practice, etc.; dinner and more drilling, and later in the day recreation—then retreat at sunset—firing of the cannon as the flag was lowered.

I often wonder whether the same flag staff is still standing through all these years since abandonment. I saw the old one fall during a heavy wind storm, several years before we left Fort Union in 1890. It was always the rule of the garrison (and it may be by orders from the War Dept.) to bury beneath the staff various souvenirs or official papers in a box. A box was found when the old staff fell, and I remember witnessing the ceremony with others when the present or last one was put up; however, I doubt whether it is still standing, although one usually lasts many years.

If the flag staff is not there now, the spot where it was could be found directly in front of the commanding officer's quarters which is the center set of the first line of officers quarters, about half way across the parade ground.

The garrison accommodated about twenty-five families

—any amount of children—the safest place in the world to bring up children (no automobiles those days). I can remember when a child at Fort Garland the happy days of making mud pies, and riding three at a time on the poor patient burros—the next time I met one of my playmates (the granddaughter of Gen'l. McClellan) was at a reception at the White House in Washington, many years after, where we introduced our children to each other. The social atmosphere in a frontier post, such as Fort Union, in those days, and the happy freedom of all out-of-door life, as well as in, presented an altogether different view with that of the present day. For sports we had horseback riding, tennis, etc.

The remote situation of those garrisons and consequent isolation created an interdependence not found in these days of adjoining large cities and easy formation of friendship in civil life. When so infrequently near cities or small towns where we were able to exchange social courtesies with our civilian acquaintances, it was always a source of regret that Las Vegas was not nearer so that we might see more of our friends who came occasionally, but as a rule only to the larger functions, dinners, dances, and weddings. During the thirteen years of my father's station at Fort Union, there were only five weddings among the officer's families—three daughters of colonels, my sister's and my own. The quarters were well adapted for entertaining—with halls extending from the front door to the back, with large rooms on either side.

In 1885, the prospect of a wedding (my sister Mary's) in the garrison was an event looked forward to with great anticipation, almost everyone taking part in the preparation for the event which was to take place on the 5th of February. The bridegroom elect, 1st Lieut. J. M. Stotsenburg, 6th Cav., was expected to arrive about February 1st.

Out of the clear sky, when everybody was happy and planning for the wedding and all that goes with it, the general assembly was sounded by the several buglers—all running in different directions that all might hear, which means fire or hurried orders to the field of action, and all soldiers fall in formation to receive those orders—generally mean-

ing that Indian renegades were at large. But in this instance orders were received from headquarters at Santa Fe for every officer and soldier who could be spared to leave at sunrise for the opening strip in Oklahoma. Men worked all night, leaving but six enlisted men to care for the post, with two surgeons and the chaplain. As the regiment left, the band, following the usual custom, escorted them out of the garrison quite a distance, playing *The Girl I Left Behind Me*, which started many a tear to flow. However, the only telegraph instrument left in the garrison (outside of the adjutant's office), in the quartermaster's quarters (the regiment having taken the only operator with it), began to tick about 5 o'clock that evening in a most excited manner, and no one to understand what it meant until the wife of the quartermaster ran from house to house hoping to find someone who could understand the receiving of this message; a young nephew who was visiting us was able to make out enough to let us know the regiment had been stopped at Raton by orders to return to station as it would not be needed. It is useless to say there was great joy in the garrison, as it was very indefinite as to the time of return to their families and it now meant the wedding would after all take place as planned. At sundown the band met the regiment outside the post on its return playing *Out of the Wilderness*.

A military wedding is a brilliant affair now, and was in this garrison on the frontier of those days: the large halls being spacious and well fitted for such occasions, the entire hall attractively draped with flags and festoons of greens, the band playing both wedding marches and gay music as we left. Officers wore their full uniforms, and relatives and friends in the garrison as well as from Las Vegas attended. No doubt many who are now in that city remember being present at our marriages. Bishop Dunlap (then Bishop of N. M., and living with his family in Las Vegas) officiated at both our weddings. My sister and her husband left for the East immediately after their wedding amid the playing of the band, shoes and plenty of rice being thrown after them. Doctor Joseph H. Collins and myself were married about two years before my sister—we spent two happy



weeks at the Old Montezuma Hotel, Las Vegas Hot Springs. On our return to the post, the hop room had been beautifully decorated with flags and greens for a reception by the whole garrison—the usual custom on such occasions, as well as other functions in receiving a bride into a garrison. However, mine was only coming home.

Fort Union was also a center for caring for Indian prisoners until their return to their reservations.

It was in the summer of 1881 that the general assembly call was sounded which sent great chills through the hearts of everybody. On this occasion hurried orders were received by the commanding officer to send all available troops to the field without delay. These orders were sent from headquarters at Santa Fe by request of ranchmen who had been menaced by young renegades who were stealing and killing their bucks. These alarms many times proved to be that they were out more or less for a good time, simply frightening the people rather than to do them harm, and I do not believe they were much worse than our young boys in large cities out for a lark. The troops were off in a few hours—next day was very foggy, so much so we could not see across the parade ground, and while two young Indian prisoners were policing the post they took advantage of the fog and that few men were guarding the post, knocked the sentry down and made their escape. It was said they leaped like two deers through the dense fog, and could not be seen when once in it. They simply flew towards Turkey Mountains, about a mile away, where they hid until dark—making their escape back to their reservation (Mescalero Agency) near Fort Stanton by stealing horses by relays—reaching the Agency in a few days. The result of this great excitement they left behind them, when it was found they were gone, in such a mysterious manner, gave the greatest alarm and thrills to each of the twenty-five families, who felt sure they might be hiding in one of their houses. It did not take long for the members of these twenty-five families, mothers, children, to sense something wrong, even the dogs—big and little—whose barking did not add to the serenity of the occasion—only made matters worse. We all started to hunt,



for it seemed they really must be somewhere in the post. We went around in bunches, each fearing they might come across them in some crack or corner in their houses or barns, which meant to those who were most nervous sure death, though that would have been more from fright rather than anything else. I know it was the greatest thrill of my life—we even went to the old earth works back of the post, expecting to come face to face with one of them, around one of those corners, where parts were rather deep—when all of a sudden we heard a pistol shot, which proved to be next door to our house. Of course we thought they had been found, rushed home, holding on to each other—only to find that the post surgeon was trying out his pistol to see if it would work in case it was needed. We all drew a sigh of relief, though I am quite sure some of us were almost disappointed that we were not able to prove ourselves a heroine by finding those two young renegades without the assistance of a man—yet secretly in my heart I was glad they escaped without further trouble. That evening was spent in telling of our experiences in the day's excitement. We were all sitting on the end of the porch near the side gate of our yard, when we heard the shuffling of some kind of noise coming toward the gate. All was silent, when a poor little innocent burro poked his head through the gate and gave one of the loudest and most uncanny brays I ever heard—and I had heard many. It can only be imagined what that meant to a flock of frightened women, at a time when we were waiting for something exciting to turn up—however, we drew a great sigh of relief to find it was our nice little old burro; we ended the evening laughing over the affair, but little sleep was enjoyed that night, because we spent the night listening through for noises of all sorts, when all the time those poor Indians were hurrying down to their reservation.

Many times have my thoughts gone back to those days at Fort Union. The numerous interesting events which took place during the 13 years of my father's station there—up to the time of abandonment. An incident happened one day when the mantlepice of our next door neighbor, which was becoming very loose from the wall, was taken down and re-

placed. Between the cracks, which evidently were there for many years, articles were found—among them a small old fashioned photograph which proved to be one of my father's cousin—Doctor Peters and family, who had been stationed there about twenty years before we arrived. I have always had the greatest desire to see behind those mantelpieces in every one of those quarters, for I believe many would bring to light other articles of interest—what a tale they might tell.

Toward the latter years at Fort Union, the quarters needed renovating badly. It seemed impossible for the quartermaster to be able to obtain appropriation for repairs. Inspector after Inspector would be sent there to inspect them and even their requisitions would be denied the money by Congress, until the last Inspector came, and that very day we had one of the worst rain storms we ever experienced at the post. Roofs were leaking in the quarters to the extent that we went around with umbrellas. There seemed just one spot in our quarters which was dry where I took my baby in her cradle to the corner of a room. In a few minutes I heard a lusty cry from that corner and found her drenched with rain coming down on her and had to put the top of the carriage up. We really felt compensated to a certain degree that it so happened when the Inspector was there, because it gave him a better idea as to the condition of the quarters. It was not long before an appropriation was forthcoming and all put in perfect condition.

The servant question was a great problem, as we were obliged to send at our own expense to Kansas City and Denver for them, but they would not last long as they married soldiers as soon as possible—until only a few continued to have women servants—finally all but two families replaced with Chinamen for cooks and general housework. Many married from our home—they called it "the Marriage Agency." It happened so many white servants had left that the soldiers did not have enough to continue their weekly dances—their only pleasure of that kind—so they threatened to get rid of these chinese servants by frightening the poor things almost to death by chasing them at night, mak-

ing them believe they were going to kill them if once they could get them which, of course, was only a scare, but very effective. They would run through our back yards to the front gates, coming out, panting for breath and a smile of relief on their faces, as they saw us on the porch. It was not long before every one of them was gone, and one by one each family returned to their women servants, and the band played on with their dances.

My father, Chaplain James A. M. LaTourrette, arrived at Fort Union, N. M., in September, 1877, from his former station, Fort Lyon, Colorado. It was before the Santa Fe R. R. was built as far as Fort Union. We traveled overland which took a week enroute, and I well remember it was one long picnic, especially after we reached the mountainous region. We had an escort of about ten enlisted men and an officer, for in those days it was not considered quite safe to travel without protection. Our outfit consisted of two baggage wagons (covered), a daugharty, resembling a stage coach, with four mules—the latter was occupied by the family. A new arrival in a garrison in those days was an eventful occasion, and a hearty welcome awaited us. My brother, my sister Mary and myself accompanied our parents, two elder sisters having married some years before. We were entertained, until we were able to move into our own home, by dividing the family into two parts. Col. [and Mrs. John] Dent (Col. Dent was brother of Gen. Grant's wife) was then and had been post trader at Fort Union for some years. They were packing preparatory to leaving for the East. It was fortunate for us as well as for them that my father bought quite a good deal of their furniture—among it a bedroom set, the four poster of which they said Gen. Grant had often slept on.

When my father had become established in his new station he very soon was able (in addition to his military duties in the post) to start with his missionary work outside, and did much to promote the interest of the church in that jurisdiction, working in connection with the different bishops of N. M. His services were immediately in demand, especially for weddings—many coming from the country around in

addition to those in the garrison. Many an amusing incident happened in connection with these marriages—sometimes the participants coming to our home for the ceremony. Often some of the family would be called in as witnesses. On one occasion, I remember, the bride walked into the room, dressed in a wedding gown made of a nottingham lace curtain—court train, which was very impressive and most effective—the bride looking supremely happy. After the ceremony, while receiving congratulations, one very timid man (a friend they brought with them) wished “many happy returns.” He seemed perfectly unconscious of what he had said, and they all left for their farm home very happy.

Another marriage was to take place as soon as the enlisted man’s time had expired. The bride elect told with great glee how she used to trot this future husband on her knee when he was a baby. She had recently received quite a sum of money from the Louisiana Lottery, and with this she said they were going on their wedding trip to Albuquerque, and to the grave of her former husband who, some years before, had been hung for murder—they thought it would be so romantic to go there.

My father led a very lonely life in a garrison—there not being any other clergyman nearer than Las Vegas, and those he did not often see; at any rate it was not as though he were in the town, so he enjoyed anyone he could find to talk to, getting into conversation with Mexicans and Indians who came around selling vegetables, blankets, etc. He often amused them for he could not speak Spanish fluently, but did make them understand by mixing a little French, English and some Spanish. However, they seemed to enjoy him and always made it a point to see him, and he always bought something from them whether he needed it or not.

Having been stationed in New Mexico and Colorado for 25 years, with only an occasional trip East, his health became impaired and he contracted heart trouble from living in that high altitude too long. The War Department granted him a leave of one year to recuperate and regain his health. After his arrival in the East, rest and recreation kept him occupied the greater part of the time. He preached all of



that summer at St. John's Church, Washington, just opposite the White House, thereby giving the rector of that church a much needed rest, and he also gave many talks in New York, Baltimore, and Washington on the Indians in whom he always took the greatest interest. At Fort Garland, the Utes used to make their stopping place in our back yard, and smoked their pipes with my father in his sitting room. As a result of these lectures on the Indians he was given a number of scholarships at Hampton Institute, Va., and the Carlisle, Pa., Indian School.

Three young lieutenants of the 10th Infantry, who were at one time stationed at Fort Union, became Major Generals in the World War—Gen. R. E. Bullard, Gen. A. W. Brewster, and Gen. E. H. Plummer. All were retired not long after the war.

It also may be interesting to know that our family is now represented by the fourth generation in the army. My father and mother had one son and four daughters. The son went into civil life and the four daughters married in the army. The granddaughters also married in the army, and there are now fifteen great-grandchildren and one great-great-grandchild. In 1904 it was said that our family, with one exception, was the largest in the army. My mother and three daughters were left widows—my sister Mary (Mrs. Stotsenburg) and myself are the only ones left.<sup>1</sup>

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1. Mrs. Collins died in 1930. Col. Harry La Tourrette Cavanaugh to W. J. Arrott, November 12, 1950.



## A BOY'S EYE VIEW OF THE OLD SOUTHWEST

*By* JAMES K. HASTINGS

**I**N April, 1880, we were living in southern Colorado, at Trinidad. Father was in New Mexico at Silver City, near the Mexican border, and it was decided that we should join him.

New Mexico, with its 121,666 square miles of area, may have had possibly one resident per square mile at that time. There was snow on the ground as we started south through the newly completed Raton tunnel, just over the line in New Mexico on the Santa Fe. When we reached Albuquerque on the Rio Grande, we went into that town on a construction train, said to be the first one into town. Spring had come by that time and there was a riot of roses in the old town. We lay there some days at a Mexican hotel until we could get a coach going south. I can remember seeing a Mexican plowing in the river bottom near Ft. Craig with a pair of tiny oxen and a forked stick for a plow. We had no Indian trouble going down although they passed near us one night. We crossed the "Jornada del Muerto," or Journey of Death with its 90 miles without water. There were stage stations every 20 miles or so on the Jornada. One we stopped at had a high adobe wall surrounding it and there water hauled from the Rio Grande was always kept for travelers. The owner, a woman, had been given they told us four townships of desert land to maintain the station there. We reached Silver City on May 1, 1880, and father met us there.

Father was the superintendent of a quartz mill that crushed the silver ore from two mines, named the '76 and Baltic, located a few miles above town in a small valley on the Continental Divide, known as Chloride Flat. The ore was hauled down from the mines by 4 and 6 mule teams, in giant wagons with boiler plated beds. Silver reduction in a stamp mill is much like any other manufacturing business. The mill ran 24 hours a day for 7 days a week, for about ten months in the year; in the heat of summer they laid

off for repairs. The men worked 12 hours a day and drew good wages. The ore was first crushed to a fine dust with powerful stamps that rose and fell hour after hour, with deafening noise, and this dust was washed into massive pans where it was ground still finer in between or under the monster shoes that worked like the "upper and nether mill-stones." In the last set of pans, quicksilver was added and it picked up the silver in amalgam, the same that some dentists once used for filling teeth. This silver amalgam was poured into a conical sack of strong canvas and drained of much of the quicksilver in it, just as a farmer's wife of the olden days used to make cottage cheese by twisting the sack until the whey, or quicksilver in this case, was mostly removed. The resulting amalgam was called a "goose egg" and when a batch of these were obtained they were heated in a retort where the fumes were run into a tank of water that chilled the rest of the quicksilver to a fluid state. There was constant weighing of the amalgam to show any losses. We laughed at one man working on the pans once, for he asked when being discharged, "I haven't been stealing anything have I"? The silver on coming from the retort was pure and was in danger of being stolen before being cast into the great bricks. It was often moved to our house in the night for safe keeping. I can remember walking beside my father carrying his Colt's revolver as he and a trustworthy man carried the silver in a hand barrow. Of course if we had been attacked father, and not I, would have used the gun. One night some one evidently drunk tried with a steel bar to pry off our front door and get at our cache of silver. Father stood at the head of the stairs ready to shoot if the man gained entrance. After the quicksilver was roasted from the amalgam the pure silver was cast into monster bricks of 300 pounds or more in weight. These were unwieldy and much smaller ones would have been more convenient, but also more easily stolen. Two express companies, the Adams and the Wells-Fargo, ran Concord coaches from our town to carry the mail, express and passengers to the railroad at Deming, where it had reached within 50 miles of our

town. The morning after we had cast a brick, one of these would stop at the mill and take it to the railroad. Once a 350 lb. brick broke through the coach floor on the desert and all the driver could do was to drive off and leave it. It was safe there for no pack mule could carry it away and a wagon could be tracked by a fast posse. The abandoning of a \$5,000 silver brick in the road did not bother us any, for when it was once signed for by the Wells-Fargo driver, it was their baby.

The Mescalero Apache Indians, under Victorio and Geronimo, were raiding at that time and kept us wondering when they would strike next. Many a rancher was picked off in that day but they never attempted a raid on our camp. There were some cattle ranches about us, but the Indians discouraged them. All food beside range beef, including the staples of flour, potatoes, sugar and such, had to come from the railroad. While the mail coaches could go there and back in a day, sometimes under heavy guard, always changing horses every few miles, the "bull trains," as they were called, took plenty of time to make the round trip. They were owned and run by Mexicans of the border grade and these were easily frightened by an Indian rumor. When they got to good grass and water they would sometimes imagine danger. There they would park their wagons in a great circle and all drivers would guard and graze the cattle by day and yard them in the circle of wagons by night.

No appeal from a hungry people had any effect to get that food started towards town. They wanted a cavalry escort, but the cavalymen were busy elsewhere. I remember that the regular price per hundred pounds by coach, on the well guarded mail to camp from the freighters' wagons was six dollars a hundred pounds for flour and other stuff, besides all that it had cost to get it out from the states. Some of the coaches brought a few sacks of flour in to camp. Most of us lived on a corn-bread diet at such times and had for dessert, sack pudding; neither was there any sugar. I can remember my three year old sister going to the bird cage and getting a lump of sugar from between the wires

and scraping her teeth across it, and with a shake of her curls putting it back with the apparent thought that she must not rob the bird.

Those freighters had good cause to be cautious about the Indians. The saddest sight that I ever saw in a long life was on a Sunday morning when two soldiers came down the street in our town, the end of the coach line, driving two broken down cavalry horses hitched to a coach filled with bullet holes and covered with human blood. The Apaches had jumped the coach about sunrise, near Ft. Cummings, a six company post. The Indians had hid behind the tall Yucca stumps and killed every mortal on the coach. Of course they took the horses and every scrap of leather in the fore and aft boots, and leather mail sacks, probably to patch moccasins. They got away, although the post bugler blew "Boots and Saddles" at the first sound of gun fire. Our mail the next day, from those mail sacks, showed plenty of blood on it. It was thus that the Southwest was settled. Guards were often carried on the coaches when needed. I remember riding all afternoon on top of a swaying Concord coach between two Infantrymen dressed in blue, with their Long Tom rifles at hand, while away to the north on a flat-topped mountain signal fires talked to someone. An Indian of that day could do a lot with a blanket and a smoky camp-fire. He could have dots and dashes galore.

Many men of that day belted on their guns before they drew on their boots mornings, but they did not wear those traffic-cop light belts; rather they were broad cartridge belts, and never drawn up snug, but the gun hung low on the right hip and there was no pulling a gun unless you meant to use it.

Our mill being so far from the others had a complete shop attached, with a carpenter, blacksmith and molder. Stamp shoes were always wearing out with the incessant pounding, and so we ran a cupola to melt our scrap iron with charcoal made back in the hills. One of my jobs, when they melted, was to man the hose on the roof to see that no sparks started a fire. The men generally drenched me down first so as to not get the shirt burned off me. Sometimes they



let me help load the cupola furnace with successive layers of charcoal and iron.

I realize now that I must have been a pest about the mill; with no school to go to I was there much of the time, although I was supposed to study some old school books at home. Once, when I had been too much of a nuisance, Dad asked, "Where are you in arithmetic young man?" I answered, "I have finished it," only to hear him say, "Go home and go through it again." Well I started at common fractions that time.

I had a fine assortment of friends in that camp. We had school for only a month or so, when a traveling school master taught a few of us long enough to get money to move on with.

One of these friends was "Black Billie," an ex-slave, who was a hostler for the mill company. Mother had a large print New Testament and Billie delighted to come down to our house and read aloud from it, for his own and our benefit. He was allowed to take out a small team of mean mules hitched to a wagon without a bed. He generally drove the outfit with loose planks on the running gear. Those mules loved to run away with him, and when they did his remarks were not those that he had found in Holy Writ. There were two Mexican villages in the camp that Dad drew on for unskilled labor. He had a time getting them to work steadily. Many a Sunday morning he would rout me out to feed the stamps until he could get help, as his labourers had gone to a dance they called "a Bilee," the night before, and were not fit for work. Finally, in desperation, he hired some Canton Chinese, and his labour troubles were over.

The carpenter, though old enough to be my father, was my special chum. When I saw him come down the street, trailed by a Chinese, carrying some long iron rods, I beat it to him. His first question was, "Did you ever read Robinson Crusoe, Jim?" Of course I admitted it, and he replied that he was Crusoe, and that his rear guard was Friday. From that hour, the man answered to that name. On the Chinese New Years, which comes in the Spring, he deluged us with presents. My brother and I got firecrackers, and the



girls Chinese candy, while Dad who never used tobacco got a box of what in China must correspond to "Wheeling Stogies." I tried one once and quit for life.

Bill Green, the teamster hauling ore from the mine, was a good man and an especial friend. He and his near wheeler, "Old Beck," saved my life once. I had been up to the mine where I had been flagging for the surveyor on a survey in the mine. You will understand that in mine surveying a candle is the flag, instead of the red and white painted pole used on the surface. The engineer and Green were on the wagon seat coming down the mountain with a load of ore, and I was precariously seated on the seat-back with my back to theirs when we jolted over a stone and I was thrown under the hind wheel. In a mule team of that day the best animal is the wheeler to the left of the pole, known as the "near wheeler." This place was filled by Beck, a monster black, and when Green yelled to her, she froze in her breeching and held the team from moving. The wagon and load likely totaled five tons. In my fall, I had struck on the backs of both hands and sprained my wrists and lay in the track against the mountain slope helpless. There was a much used liniment for sale in the camp, for man and animals. The only kind they had on hand was for animals only, and was a dark brown, so I was as brown as a Malay for a while.

One of my friends of those days on the Mexican Border was the Negro cook at the mine. He certainly knew his stuff and I have never eaten better meals. When the shaft whistle on the mine hoist blew, he was ready and his welcome cry of "come and get it," was always answered by a rush of hungry miners. One thing that endeared him to my boyish heart was that he was not fussy about clean hands and combed hair. Boy like I enjoyed teasing him and I early found that he had a horror of the deep shafts in the mine and so I would wheedle him to go down in the shaft with me. His stock answer was, "No sah, Mister Jimmie, I can go out the doah and dig a hole six inches deep and get into that and it is deep enough for me."

I remember that the '76 ore shaft was covered with two heavy six inch wooden doors and at times when there was

need of haste some one would go down in the ore bucket, but no one ever came up in it, for the various engineers seemed to try to see which could "whip" a bucket of ore out the fastest, and how those doors would flash open and the bucket would stop just before it went over the shive wheel at top. Often there were a dozen Mexican ore sorters working on the floor of the shaft house, endeavoring to get the refuse culled from the rich ore. Really they did pretty well for themselves, for beside their wages they often kept their small smelter near our house going nights, smelting the richer ore they had stolen. This furnace was called an "arasta" and the fuel was charcoal, burned in the hills and brought in on burros. The forced draft was from an old blacksmith's bellows that one man with a raw hide loop for his foot pumped for hours on end. There was little hope of keeping up with ore sorters of that day without an X-ray, and we knew nothing of them 70 years ago.

Three of the older white miners had dug back into the mountain above the shaft house to get a dug-out to live in and one of them kept dinging at me to send up a carpenter's square on one of the ore wagons, so he could get a door made to keep out the cold fall nights up there on the Continental Divide.

I can remember, when we made a survey of the surface of some of those mines, how father marked them by hewn stones a foot square and 4 feet long. They stuck like a sore thumb and were easily seen from a distance, so there was no question where property lines were.

Our camp was the first town in that day from the Mexican Border (before the railroad came), perhaps 100 miles away and we had a custom house. Mexican horsemen who came past our house direct from their country with a bunch of skinny fowls dangling from their saddles, asked us two reals or 25 cents each for them, plus the customs tax. We often wondered if the custom house ever saw that tax. The regular freighters used ordinary wagons, but there were a few of the monster ox drawn two wheeled carts with wooden wheels that were used in smuggling. In ordinary use the spindles were never greased and made a wail to be heard

for miles, so when grease was applied to stop the noise it was almost *prima facie* evidence that smuggling was going on.

Often mule pack trains would come up to the custom house with produce to load back with goods. I once found a few pairs of what I later found were called in the slums of our great cities, "Saturday night shoes," that had lost out of such a pack. The sight of that shoddy stuff sickened this boy.

The mules in a pack train were let run loose and herded along the trail or road. They generally had an old gray bell mare that all the mules would stay with. When they wanted to catch the mules to load or unload them, they would close-herd them and four or more would hold a rawhide lariat up three feet from the ground and one muleteer would grab a mule and slip a broad leather blind over his eyes. This took all fight out of him.

Once father hired a Mexican with a big wheeled cart to haul a load of rock salt for use at the mill. The man came back asking for "*une cameisa por le carro.*" He meant a shirt for the cart, or wagon sheet, fearing that a shower might come up and he lose the salt.

There was one story of those wild days on the border that always thrilled me. The Apaches had crawled up and surprised the family in a Mexican jacal or hogan and killed everyone present. But they did not wipe out the family by so doing, for there was a slip of a 12 year old girl out herding the sheep. Those runty specimens, having a pound or two of wool on them, were little kin to our Merinos or Shrops of today, and it took one both young and fleet of foot to manage them and the small shepherdess was just that. The Indians knew of her being in the hills and wanted both her and the sheep and so started after her. Though desert bred and fast on their feet, they were no match for the feet in those small moccasins; they simply were not in her class, as they found, when she walked off and left them, never to be caught.

Near the quartz mill that father used to run, he owned a garden plot of a few acres, irrigated from the same stream

that supplied the mill boilers with water. This he rented to some Cantonese Chinese who used it for a truck garden and raised vegetables for the camp. The first season they had it, they carried their produce to market in baskets hung from yokes over their shoulders. They made a picturesque sight in their conical hats as they went along in single file, sing-singing to each other like a lot of grackle black birds. The next season, they got a decrepit horse and an old market wagon, so that one could sell the stuff and leave the rest at home to work. The driver knew about as much about horses as I do about atomic energy. One day, when the salesman had reached our house on his return trip from market, he discovered that the horse had something in a hind hoof. Instead of picking up the hoof to investigate, he crawled under the wagon and began working on the hoof, when the horse kicked him in the head, laying him out cold. My older sister, just a kid, was doing the dishes in the kitchen, but hearing the wagon stop, came to the door to investigate, when she saw that the man was out, she hurried back into the house, got the water pail, pulled the man from under the wagon by his feet and drenched him with cold water. In time he recovered and getting on the wagon went on home. The next day after selling his load, he stopped at our house and, on his knocking, mother went to the door and the Chinese said, "Me tankie you boy." Lord Chesterfield himself could do no better.

The sister, when grown to womanhood, won an education and became a Doctor of Medicine. Haven't we read somewhere about the boy being father to the man? Wouldn't that apply to the girl also?

One of the danger spots of that day was Cook's Canyon. We came down through it one dark night with a big Concord coach, attempting to be quiet, so as to not arouse any lurking Indians. We passed the graves, or grave rather, of 17 killed from a wagon train. Our efforts to be quiet failed, for the brakes on the coach had been shod with old miner boot soles and the nails in them against the steel tires made a screech that could be heard for miles. We all followed the coach except my grown sister who, holding the baby sister,



rode in the coach. Later, when I was coming back from the survey of some mining claims for patent, we came through the canyon in the day time and boy like I crawled back into the rear of the wagon and went to sleep. When I awoke, the wagon was standing still and I heard gun fire. I could see nothing from where I lay and suspected Indians, so did not move or raise up until I heard our colored teamster Dan say, "I got two of them." Then I looked to see that it was rabbits instead of Indians that he meant. Two friendly Apache scouts from another tribe in Arizona came along and cooked their rabbit over our fire. They did this without an atom of cleaning and then ate it, with such cleaning of the offal as they could do with a twig. They had red handkerchiefs about their heads or necks to distinguish them from warriors. They were armed with Winchesters, which with magazines loaded made a heavy gun, so each carried two small wyths that were bound together at the middle for a gun rest. A clumsy arrangement for a fighting man, I thought.

My daily routine when I was a boy in the mining camp was hardly a routine, for few days were alike, but I did keep the water pails full. To do that I had to go to the St. Vincent spring where most of the women of the nearby Mexican village were gossiping and filling their pails and helping hoist them to the other's head. It was the stories that we had from the Bible and pictures of that time over again. I do not remember ever seeing a man come for water. It was beneath them. If you had learned Border Spanish you would have gotten an ear full. I used two discarded black powder cans with bails in them for my water pails. They held 3 or 4 gallons each and were pretty heavy when full. Another early morning job was watching the Concord coaches leave town for the railroad. There was often a race to see which of the fresh teams would be in the lead when they passed our house on the edge of town. My friend of the ore hauling days, Bill Green, had been promoted to driving for the Adams Express Co., and I was naturally rooting for him. The Wells Fargo driver had four small mules and how he escaped turning over when he tried to pass Green was a mystery to me. Green was a gentleman, and father told of his turning his 4 horses



out so as to avoid crushing a terrapin in a wheel rut, but grinding right over a rattlesnake in one.

The Mexicans brought in wood (stove length) on burros (donkeys). It was packed in a great circle over the beast's back, and when it was sold the muleteer pulled one thong from the raw hide rope holding it on and it all fell to the ground leaving the burros to walk out of the pile. We had a fireplace and so occasionally father would get a cord or two of 4 foot wood, such as he used under the steam boilers at the mill. When it was dumped at our kitchen door, I knew it was my job to fit it for fireplace or kitchen stove. By the way, that is one of the best exercises that I know of for a boy to do.

A saw buck and a sharp saw has it over some gymnasiums that I know of. Seeing that wood cut and neatly piled comes under the head of the "glory of achievement" that some educators tell of. When that wood was neatly ricked near the kitchen door I was again free to go afield.

The mill would not buy scrap iron from the Mexicans, but they would of me and trust me to weigh it. There had been another mill and foundry across the creek from ours and removed long ago. I discovered that there was considerable iron in small pieces in their slag pile. I got an old Mexican partner and found a ton or more of iron there. We were paid 2 cents a pound for it. Should I add that I learned to swim in that shallow creek? There was a lot of broken glass and other trash and it was not deep in any place, but I learned to swim dog fashion.

While waiting for repair material at the quartz mill, two of the older mill men took me south to the Tres Hermanos, or Three Sister's mountains, near where in later years stood the town of Columbus, New Mexico, that Pancho Villa once sacked and burned in hopes of getting our country into war with Mexico. We camped on a bench near the top of one mountain and a large area of northern Mexico lay spread out before us when the sun rose the next morning. One of the men in stirring around before morning had set off his gun which we kept under the covers. This did not awaken me, but the cold air when they threw off the blankets to put out

the fire did that. Mountain air, good food, and a tired boy made me dead to the world.

When on one of my survey trips, two Mexican hunters came along and sold us some meat of a black bear that they had killed. It was too tough and strong to eat. They were professional hunters and had caps made of antelope horns and enough of the hide on the neck to make a cap to slip over the head to stalk game with. When they sat in the tall grass with those horned heads showing, they would fool anyone, especially an antelope, for you know they are as curious as a woman.

On one survey on west slope of the Rockies, in the Mogollon mountains of New Mexico, I saw some of the grandest scenery that I ever beheld: high cliffs with brawling mountain brooks filling the canyons below, the sound made by the waters tumbling over the rocky beds rising far up on the mountain slopes; and great pine trees and some times box canyons that hemmed us in until we had to turn around and retrace our steps to get out. The Apaches had been there the year before and left the signs of their presence, as was the great cairn of stones in a stream bed at the end of a trail down the mountain made up of boot and moccasin tracks over the loose sliding shale of the mountain side. They were all that was left to show of the unsuccessful race made by some lone prospector. The pile of smoked stones showed where he had stood when he was lashed to the stake. We respected his resting place and monument.

All of these signs were before me as I sat on the ground beside the engineer and his transit. It would bring me out of a reverie to have him say, "Jim check on my figures," and I would do sums for him. In that day that country had not been surveyed, so there was no way of describing the exact location of a tract of land or a mining claim, except by tying it in by triangulation to two or more mountain peaks or other natural objects. One night the camp put on a celebration of some event of more or less importance, the reason for which I have forgotten. They likely had absorbed more or less liquid refreshment from the commissary and were duly exhilarated and had built a huge campfire near the

camp's center among the lofty pines. They had gotten out three blacksmith anvils and would pour a handful of black powder on one and stack the other two on top of it and then fire the powder with a long half inch rod that had been heated in the fire. The anvils would bounce into the air with a roar and the process would be repeated. The noise made was a good imitation of the firing of a cannon.

There were only two women in the camp at that time. One ran the tiny boarding house where we ate. The racket that the men made that night must have disturbed the women a lot.

The boarding house keeper was no cook, much as we needed one, perhaps because she had nothing to do with, for her biscuits were always undone inside and caused the engineer, who had drunk his share and some other man's portion of whisky, much pain. I got away with the grub, for I was young and tough. When I could not get enough at the table, I haunted a nearby turnip patch and so survived. When we got in late one night, we found the one room of the cabin lighted by a small dish of grease set on a high cupboard with a lighted strip of cloth hanging from one side of the pan for a light. The family were from the mountain section of the South and the mother always rocked her baby in a common hickory chair, without rockers, and yelled an ancient ballad at him. The kid seemed to thrive on it.

One old character named "Jed" would have delighted movie audiences of today. I never heard of his working and, while he wore the boots of that day, I never saw his trousers either tucked neatly in or hung outside of that foot wear. They were hung on one boot strap, so they sagged the boot top down, but he could go down a rocky mountain trail and glancing across the canyon to a blank wall opposite, stumbling as he went, count the window panes, "46, 47, 48," not yet broken out of the supposed vacant building opposite, as he had when on his way to school when a boy. He likely was pretty worthless, but boy like I did not think so. When we went in there, we turned our team loose to graze and find their feed where they could, as there were no fences. When our work was done \$5.00 was offered for finding the team.

I wanted to start for home and started out to find them if possible. When Jed heard what I planned, he would not let me leave camp until I buckled on his gun. How he must have missed that artillery. I had not gone a mile from camp in the big woods until I found a fawn half eaten, lying in my path. I judged that it had been the work of a panther and then remembered that I had read that they dropped from trees onto their prey and my taste for \$5.00 and a trip home weakened in short order.

Our camp in the Mogollon mountains had only three or four horses, the mine manager's, the boarding house, and the "Old Boar's Den," where several of the miners lived and cooked for themselves. These three houses were at the corners of a triangle and the lodge pole pines in the grove between were cut so the people in each house could see how the others fared during a siege. All the houses were of logs and the windows were filled with small logs with only a hole left between them to fire through. The Apaches had been there the year before and gotten some of the men that were away from camp. None appeared while we were there.

On our three days drive home we met men who, with the hospitality of the West, shared a deer with us that they had just killed. They had never seen us before, or would again likely. That night we toasted those tender steaks of venison over our camp fire while our biscuit baked in the embers beside the fire. It was the finest food ever. Then to bed on the ground with a buffalo robe over us on top of the blankets while my engineer friend taught me astronomy from the skies above, till sleep came. It was on that trip that a magnificent black tail buck came near to camp and stood and watched us, with those great antlers raised in the air. I will never again deride a man for having "buck fever." It would be a crime to shoot that majestic creature.

As this draws to a close I must say in defense of the Indians that most of the white men of that day and area were as fine as one could ask for, but some to my knowledge were just scum and they by their actions caused the Indians to hate the Whites and that hatred was often taken out on defenseless people.

To illustrate the above let me give an example. The forts of that day that I was familiar with were not walled or stockaded, but were simply posts on an open field. They had to be to permit the cavalry troops to maneuver in drill. My father told me an incident at one such post that used a log cabin for a guard house and in it was an Apache Indian confined for some misdemeanor. There was a bed in one corner of the room and the Indian was asleep on the bed next the wall. Some of the soldiers had a camp fire near the cabin and one of the less desirable ones heated a steel rifle cleaning rod in the fire and then stuck it in between the logs and burned the sleeper. In his pain and fright he dashed out the door and was promptly shot and killed by the guard, who naturally believed that the prisoner was attempting an escape. When Chief Cochise, friendly to the whites, heard of it he swore that he would make the "trail run red from Taos to Tucson," and figuratively speaking he did just that.

I can remember one day when seated on a mountain top I, a 13 year old flagman, saw below me the valley of the Rio Grande, and the river winding through it showed like a white thread on the floor. From the same lofty perch I could see through the clear air the smoke of the construction trains of both the Santa Fe and the Southern Pacific. They were building the lines that when they met would span the continent. As a boy I was permitted to see the nation growing. No one dreamed in that faraway day of the stature it would attain today.



## WASHINGTON ELLSWORTH LINDSEY

By IRA C. IHDE

(Continued)

### *War Governor of New Mexico*

The people of New Mexico, in 1916, elected E. C. de Baca as their chief executive but he was destined never to enter the executive mansion as governor of the state. Immediately after his victorious campaign, he went to a hospital in Los Angeles for special treatment for pernicious anemia. He returned to New Mexico just before his inauguration, which took place in Saint Vincent's Sanitarium in Santa Fe. He remained in the sanitarium until his death on February 18, 1917. On the following day, Lindsey took the oath of office as governor.

Governor and Mrs. Lindsey attended the final rites for the deceased governor in the Church of Our Lady of Sorrows at Las Vegas, New Mexico. Their floral tribute was a large pillow of pink roses and carnations.

The new Governor's first major address was given before a large crowd in the house chamber before what was nominally an adjourned session of the Republican state central committee to which the general public had been invited. In a speech that was interrupted "frequently with uproarious applause," and that marked "an epoch in the political history of the state," the Republicans "heard strange doctrines."

The Governor stated that since both parties were partially successful in the last election he would urge that the legislature carry out the principles enunciated in both party platforms. He therefore urged the enactment of the Australian ballot, tax reform laws, highway legislation, and a corrupt practice law. He admonished his hearers that the time for vote buying in New Mexico was past and gone forever.

Such was the idealism of the new Governor, and such was the reception he received in the "honeymoon" period

of his political life as governor. However, fate would not grant the fulfillment of all of his wishes, and the practical school of politics soon withdrew its kind reception in the give and take of conflicting forces.

One of the first problems confronting the new Governor was the matter of appointments. In practical politics, they are considered one of the fruits of victory; however, the problem of appeasing all factions of the party is a difficult one. It was even more difficult in Lindsey's case because the appointments of his predecessor had already been made. Lindsey stated to the press that his policy in regard to appointments would be "ability to perform the duties of the position."

In his appointments Governor Lindsey stayed on middle ground. He took the position that he was governor of all the people of New Mexico. His designations included progressive Republicans, old line Republicans, and Democrats. It was his desire to promote harmony and to minimize political and factional strife.

Such a desirable objective, however, could not be accomplished in the realm of practical politics. As predicted, party friction between the two wings of the Republican party developed soon after the inception of the new administration. As the administration progressed, the cleavage between the two factions within the Republican ranks continued to grow. The Governor seems to have made a conspicuous effort to harmonize the factions—but without success. There is no evidence that he sponsored an active opposition to any element within the party. On the other hand, there is ample evidence that he took pains to extend recognition and consideration to all. Nevertheless, one is led to believe that as the administration progressed the gap grew wider—that the opposition to the Governor from the old line element grew stronger.

The intra-party strife was by no means the paramount problem of the Lindsey administration. It was overshadowed by the entry of the United States into World War I. It was in the war effort that the Governor exhibited unwavering patriotism and tireless effort. With the aid of his indefatig-

able energy, New Mexico placed high in the rank of states for war contributions. His war actions took various forms: he promoted military and civilian activities, made challenging speeches and proclamations, and promoted interstate and federal co-operation.

One of the Governor's primary war efforts was his interest and aid to the National Guard. When the National Guardsmen returned from the Mexican border, they were given an eloquent tribute by the Governor. But the new war left little time for glorifying deeds of the past; immediate action had to be taken to meet the coming emergency. The federal government called the National Guard into service again on April 21, 1917. There were eighty-eight men, under the oath of the Defense Act, from New Mexico. It hoped to bring the Guard back to war strength by a program of voluntary recruitment. This method progressed so slowly, however, that the regular army officers seriously considered abandonment of the attempt and mustering out of those already recruited. It was then that Governor Lindsey stepped into the picture by appointing Captain James Baca as adjutant general and issuing an executive order whereby the state, out of the public defense fund, would bear the cost of a state recruitment program. The recruiting progressed so rapidly that by the middle of June the New Mexico National Guard was at full war strength.

Another military activity that received more than average attention from the state executive was the organization of the home guard. While expansion of the program was yet in the embryo, Lindsey sent a request to the Secretary of War for 3,000 rifles and 60,000 rounds of ammunition for arming them. When definite federal plans were evolved, Lindsey appointed Adjutant General James Baca as the commanding officer. The Governor then urged that the organization be formed and maintained on a state-wide basis. As soon as the Portales unit was in operation, he joined it as "Buck Private" Lindsey and was measured for a uniform that was without "gold lace."

After the formal declaration of war, the Governor gave even more freely of his time and energy to improve morale

and to strengthen the fighting qualities of the state. One of his first actions was to recommend to all municipal and county officers that they prepare a list of the names of all males between the ages of eighteen and forty-five, in the area of their jurisdiction, so that they might be used in event of a selective draft. He also called a conference of the legislative leaders of the state to discuss the steps that might be taken to insure full co-operation in the war effort.

After the passage of the selective service act and the designation of June 5 as registration day, the Governor did all in his power to assure full co-operation. In a release to the press, he urged all counties to make "Draft Day" a holiday, to be celebrated in "a serious spirit of consecration." He suggested that local welcoming and reception committees greet the registrants and create an atmosphere of reverence and respect for them. He asked the committees to pin badges on those registering with the words, "The Colors Call: I Have Answered." He also recommended special patriotic services in the churches on Sunday, June 3, emphasizing the slogan, "The world must be made safe for democracy." Fearing that not enough New Mexico soldiers were taking the optional federal insurance, the Governor wrote to the commanding officers of the camps in which there were New Mexico men, asking their aid in inducing them to do so. He also issued a proclamation in which he asked the relatives and friends of the New Mexico servicemen to write and wire urging them to accept the federal insurance option. That his efforts were successful can be gathered from a telegram he received from General F. S. Strong a few days later informing him that practically all of the New Mexico soldiers in Camp Kearny had taken out insurance, and that with the continued influence from home all might be insured before February 12, the deadline.

The Governor's military interest included the personal welfare of all soldiers stationed in New Mexico. The federal government set up a great cantonment near Deming which it named Camp Cody. It was large enough to accommodate 30,000 soldiers at a time. Lindsey made several visits to this camp; and on one occasion he presented \$1,000 worth of



athletic goods to the soldiers as a gift from the citizens of New Mexico. He talked personally to many of the men; and on his return to Santa Fe stated that their health was excellent and that their morale was splendid.

As the war and the period of military training progressed, several New Mexico men contracted tuberculosis and were discharged. The federal government at that stage of the war was discharging them without care and without a pension. Governor Lindsey called it "an improper and unfortunate situation"; and he insisted that the state must assist them until federal aid was granted. Seventy of the patients were admitted to the Miner's Hospital in Raton, while the others were sent to Fort Wingate or given subsistence in their own homes.

The war ended, but the Governor's interest in the soldiers continued. Again working with the Defense Council, county organizations were set up for the purpose of assisting the returned veteran to find employment and to rehabilitate himself to civilian life.

New Mexico's military war record, under the leadership of Governor Lindsey, is one of which the state may well be proud. New Mexico responded to the imperative call for men with her full quota and more. Out of the total number of men who served, 501 "were given up in the service of the country." The total number of New Mexicans in all branches of military service was 17,251. The state "stood well above the average" among her sister states in the number of men contributed.

The civilian war record of the state was no less impressive. Here again, with devotion to the duties of his office and for the cause, the Governor led the way. Immediately following the declaration of war, he summoned a group of leading citizens to Santa Fe to discuss the problem of immediate preparedness for the state. The group called to perfect a system of preparedness represented the state's leading industries. The individuals and the industry they represented follow: A. D. Crile, President, State College, farming; John M. Sully, Santa Rita, metal mining; L. A.



Hughes, Santa Fe, banking; Dr. James A. Massie, Santa Fe, medicine; W. A. Hawkins, El Paso, railroads; E. C. Crampton, Raton, law; Charles Springer, Cimarron, roads; James A. French, Santa Fe, engineering; E. C. Abbott, Santa Fe, military; G. A. Kaseman, Albuquerque, coal mining; B. M. Cutting, Santa Fe, home guards; R. C. Reid, Roswell, taxation and revenue; R. H. Hanna, Santa Fe, Red Cross; Mrs. R. F. Asplund, Santa Fe, federated woman's clubs; R. E. Putney, Albuquerque, mercantile; S. B. Davis, Las Vegas, public utilities; H. B. Karr, Albuquerque, labor; D. A. McPherson, Albuquerque, publishers.

The program formulated and projected by these leaders formed the basis of the activities carried on by the subsequent Defense Council which was created by the special session of the legislature.

The Governor personally worked on many other projects to aid the cause of food production and conservation of resources for the war effort. He held a conference with officials of the Forest Service, and they offered "potato land" in the forest for those who wished to aid in food production. He made arrangements with the State Land Commissioner and with the State Prison Warden whereby sixty convicts cultivated 1,200 acres of state land in order to produce food for the inmates of the state penitentiary. In a letter to hotel proprietors, he urged them to boost the pinto bean, serving it rather than imported beans. On every occasion possible, he urged the planting of home and school gardens. Again leading the way, he rented a vacant lot in Santa Fe on which he and his family cultivated a garden that produced a bountiful harvest.

Correlating with the Governor's food production program, was his effort at food conservation. Fundamentally a prohibitionist, the war gave him added incentive to sponsor its cause. His connection with state-wide prohibition gives him a claim to a place in the history of the state. Although it had been customary to serve liquors at state dinners, it was not permitted while he was the chief executive. He made many speeches for the cause of prohibition. During

his administration, New Mexico became the twenty-seventh "dry" state in the Union following the adoption of the constitutional amendment making prohibition nation-wide.

The civilian war effort of New Mexico included the support of the various war drives and the purchase of government bonds. The Governor took a very active part in assisting all organizations. For the purpose of raising money for purchasing "Smileage" books for the soldiers at Camp Cody, he participated in a benefit basketball game. During the contest, which was between the Fats and the Leans, "Lindsey made a remarkable throw into the basket from a stepladder for the Fats." The Leans won the game, but the Governor had made his contribution.

After many individual drives, a combined United War Fund drive was suggested. Accordingly, two hundred workers gathered in Albuquerque at a state convention to plan the campaign. Lindsey presided and aided in the organization of the new plan. This fund-raising campaign was also successful.

In its support of Liberty Bond purchases, New Mexico made a unique record. Under the direction of Governor Lindsey the State of New Mexico, in October 1917, invested the sum of \$381,300 in Liberty Bonds. This was the first action of the kind undertaken by any state in the Union. When the drive opened to the public, the Governor spoke at a patriotic rally and touched off the Liberty Loan fire in front of the Old Palace in Santa Fe. His interest and enthusiasm persisted throughout all of the drives, whether for individual organizations or for the state. By the end of the war, the state of New Mexico had \$750,000 worth of its funds invested in Liberty Bonds.

The Governor became greatly concerned when he learned that some of the bonds owned by individuals were being used for speculative purposes. In order to counteract this practice, he issued a press release in which he called upon the people of the state "to repudiate the sharks" who were endeavoring to swindle the public out of Liberty Bonds by making them the objects of speculation. He warned the citizens not to have any trade dealings with Liberty Bonds

as the basis. In vigorous language he declared that stock-jobbing in the bonds of the nation was "pro-German."

In all drives for contributions and loans pertaining to the war, New Mexico made a splendid record. The records show that the people over-subscribed every Liberty Loan quota and that the quotas for Red Cross, Salvation Army, Knights of Columbus, Y. M. C. A. and other accredited war relief organizations also received large over-subscriptions.

During the Lindsey administration and the war, there were naturally some federal-state relationships and some out-of-state contacts. When the United States entered the European conflict, fear was current in the southwest that we might also become involved in a war with Mexico. Prompted by that possibility, the Governor urged the federal government to build a modern highway between Amarillo and El Paso. This road, he maintained, was necessary because of the inadequate transportation lines extending south and southwest reaching the Mexican border from the central United States, and the liability of their congestion in event of a demand for the rapid transfer of troops and munitions of war to the border. He pledged his co-operation in the project if the authorities deemed it wise to carry out the plan.

Similarly, when the food crisis seemed to be severe, Lindsey urged the federal transportation authorities to build a railroad from Farmington to Gallup for an outlet of the food products of northwestern New Mexico and southwestern Colorado. He pointed out that much food was going to waste in the San Juan Valley because of lack of marketing facilities. When no federal action was taken on this matter, he urged federal assistance for a highway from the San Juan Valley through Cuba to Santa Fe. But here again federal aid was not forthcoming.

In the fuel crisis during the war, the request for aid came from the federal authorities to the states rather than from the states to the federal authorities. In this matter the Governor of New Mexico assisted the federal government to the fullest extent. He issued a special proclamation on the subject; and he visited the coal mining districts at Raton, Dawson, Cerrillos, Gallup, and Carthage in order to

talk personally to the miners about the importance of boosting production.

Concern for the New Mexico soldiers by Governor Lindsey also brought contacts with federal authorities. He was proud of his state; and he wished for her soldiers to serve in a unit to be known as the New Mexico regiment. Seeing that the men were being distributed among the regiments of other states and fearing that they would lose their identity, he wired Secretary of War Baker suggesting a New Mexico regiment. His request received careful consideration, but could not be granted in its entirety.

Another contact was made with federal authorities by the Governor when it was reported that New Mexico soldiers were being discriminated against because they could not speak the English language. On one of his visits to Camp Kearny, he requested that the men should receive proper treatment and advancement regardless of their racial backgrounds. One result of this request was that schools of instruction in the English language were formed for those who could not speak the language.

Lindsey received several national recognitions during the war. He was appointed as a member of the advisory board of the All American Association. Its objectives were to foster agricultural preparedness, increased acreage, conservation, good roads, elimination of get rich schemes, and the general promotion of economy and efficiency during the war. This appointment was due, in a large measure, to the record that New Mexico was making in its war effort.

The Governor was invited both to attend and to speak at a conference of the National Security League held in Chicago in February, 1918. The purpose of the conference was largely to stimulate and to continue to promote the program of education civic preparedness. He appeared on the speaking program along with such notables as former President Taft, Elihu Root, Frank O. Lowden, and Dr. Robert McElroy. In his talk Lindsey explained the adopted plan of New Mexico's civilian war program. While in Chicago he also gave a patriotic address to one of the Chicago high schools on Washington's birthday.



Upon his return from the conference, Lindsey offered suggestions to various state organizations from time to time. The warning that he brought back from the conference was that we must not be persuaded to accept a premature peace. He urged New Mexico organizations to be on guard for propaganda of such a nature.

The last official out-of-state contact of Governor Lindsey's, of importance, was his trip to Washington, D. C., and to Annapolis, Maryland. His purpose in visiting the former place was to secure compensation from the government for expenditures that the state had made at the College of Agriculture and Mechanic Arts and at the University for the training of soldiers in the Student's Army Training Corps. At the latter place, he attended the conference of governors. The efforts of the Governor were in part successful.

Governor Lindsey spent a great deal of time during his administration making promotional speeches and writing some articles. Near the close of his administration he wrote an article for the press which might well be termed a treatise on good government. The article was a resume of the work accomplished in his administration that, in his estimation, could be classified as "good government." Among these accomplishments he included: state-wide prohibition, the secret or Australian ballot, state budget, workmen's compensation, consolidated rural schools, highway construction, and a state council of defense for the promotion of war activities.

In addition to his speeches and articles, the Governor also issued many proclamations in the course of his duty as chief executive. The subjects of the proclamations covered a wide area, but the majority of them were made in an effort to promote the state's war activities. The great number of them issued, and the sincerity of their tone, indicate his loyalty and devotion to the cause of freedom and democratic government.

During the Lindsey administration, naturally, other problems arose besides those connected with the prosecution of the state's war activities. Among these problems were



two of a fiscal nature. One was the accumulation of tax arrears since statehood in the various counties. In an effort to improve this condition, the Governor appealed to all county treasurers stressing the importance of the collection of tax arrears. He also addressed a communication to all county attorneys urging more prompt collections in order to maintain the credit of the state. In this communication he pointed out to them that the average collection for all counties of the state in 1915 was only eighty-one per cent. A few days after the two communications had been sent, the Governor began to receive reports from over the state informing him that immediate action had been taken in various counties. The county officials of Curry and Roosevelt reported that their collection record had always been good and that at the present time the collections were ninety-seven and ninety-five per cent respectively.

Another fiscal problem of the Lindsey administration was the Kelly bond fraud. When Congress passed the Enabling Act for New Mexico, one of its stipulations provided that the new state should assume the debts and liabilities of the territory and of its various counties. Some of these bonds were re-negotiated and were handled by W. G. and H. B. Kelly, bond brokers, of Kansas City, Missouri. By the time of the Lindsey administration, these brokers had collected, fraudulently, approximately \$70,000 of the state's money.

On his second day in office Lindsey sensed that some of the bonds were bogus and refused to sign their interest warrants. A subsequent audit made of the issue of Series "C" bonds by H. C. Reid and A. E. James for the State Taxpayers Association disclosed the fraudulent extraction of approximately \$70,000 from the funds of the state. Thereupon, the Governor appointed James M. Hervey, Roswell attorney, as the state's special counsel to prosecute the case. The case, *State of New Mexico v. William G. Kelly*, dragged through the Lindsey administration; and after a conviction, appeal, and denial, it was finally settled in September of 1921. The final outcome was a recovery of the state funds and a penitentiary sentence for Kelly.

The last public utterance of Lindsey as governor of New

Mexico was given at the inauguration of his successor. In this address he pledged his support to the new governor and urged his audience to rededicate their lives to the task of sustaining and promoting the republican form of government.

### *Laws of His Administration*

Lindsey's legislature, the third legislature of the State of New Mexico, had a Republican majority. The register for the session records that the Senate was composed of fourteen Republicans and ten Democrats. Each of the chairmen of the nineteen standing committees was a member of the Republican party. The *House Journal* of the session shows that of its forty-nine members, twenty-nine were registered as Republicans, nineteen as Democrats, and one as an Independent Republican. The speaker of the House of Representatives for the session was W. H. H. Llewellyn of Doña Ana County.

The third legislature was in session from January 9, 1917, to March 10, 1917. During the early days of the session, the illness of Governor de Baca hung like a pall over the members and little was accomplished. Soon after de Baca's death the new Governor, in his "maiden" political speech, proposed to the members of the legislature a program of action for the remainder of the session. The talk outlined a progressive, non-partisan policy and indicated that the Governor would attempt to play a leading role in seeking its fulfillment. In the remaining twenty days of the regular session, he took an active part in attempting to get his program through the legislature.

The third legislature passed one hundred and fifteen laws, fourteen joint resolutions, four joint memorials, and voted to submit three proposed constitutional amendments to the people. Although not all of the party pledges or the Governor's recommendations were approved, the legislature's actions went far toward consummating the wishes of the progressive people of New Mexico.

The major laws provided for special treatment of juvenile delinquents, creation of county school boards, the setting

up of state machinery in order to receive the various federal aids, a state budget, workmen's compensations, and the creation of a board of commissioners for the promotion of uniform legislation.

The greatest disappointment of the third legislature to Lindsey was its failure to provide for an amendment for woman's suffrage. Estimates of the accomplishment of the third legislature varied. The *Portales Valley News* observed that, "The third legislature has adjourned. It can not be said that it was either better or worse than its predecessors, neither will it go down in history as having given evidence of great profundity." The *New Mexican* drew the conclusion that, "The house averaged rather more incompetent than most of its predecessors, while the senate averaged up well."

The Governor defended the record of his legislature. Speaking before a convention of the New Mexico Cattle Growers Association in Albuquerque, he stated that it had been progressive, and had to a large extent reflected the wishes of the people. He prophesied that one single act, the budget law, would be of much more value to the state than the entire cost of the legislature.

Soon after the close of the third legislature, our entry into the European war appeared imminent. Governor Lindsey kept in close touch with international developments, and stood ready to call a special session of the state legislature the moment the necessity became apparent. Immediately after our declaration of war, he called a meeting of the leaders of the legislature to discuss the advisability of a special session. The result of this meeting was a decision to delay the call of a session until the national government had organized its program on more concrete lines.

In the meantime, the Governor, on his own initiative, appointed a war committee composed of leading citizens of the state. This group was called to the state capitol to discuss and to outline a tentative program of action to get the state on an immediate war basis. The committee, recognizing the lack of laws and funds necessary for the mobilization and use of the state's resources in time of war, urged the Governor to call a special session of the legislature.

In response to this request, the Governor, on April 26, issued a proclamation calling the third legislature to meet in special session, May 1, for the purpose of enabling the state to "provide for its own defense and to assist the United States in the prosecution of the war."

The special session of the legislature convened on May 1 and remained in session until May 8, 1917. In the space of eight days, measures were passed which put the state on a war basis. The session passed seven laws, three joint memorials, and one joint resolution. Five of the measures largely shaped and guided the future war activities of the state. The actions of the legislature followed closely the pattern charted for it by the Governor and his war committee.

The law of the special session which consumed most of the Governor's time and energy after its passage was Chapter Five. This was the act which provided for the public defense and carried with it an appropriation of \$750,000 to be administered by the Governor with a State Council of Defense in an advisory capacity. As stipulated by law, the Governor appointed the following members to the Council: Charles Springer, Colfax County; Robert E. Putney, Bernalillo County; B. C. Hernandez, Rio Arriba County; C. R. Brice, Chaves County; Eduardo M. Otero, Valencia County; W. A. Hawkins, Otero County; John M. Sully, Grant County; Secundino Romero, San Miguel County; and Eufrazio Gallegos, Union County.

These men were the same group that had served on Lindsey's war committee and that had aided him in drawing a legislative program for the special session. Their immediate confirmation by the Senate indicated the approval of their program.

The activities of the Council of Defense took many and various forms. One of its greatest contributions was in its promotion of war bond drives. In every Liberty Loan campaign during the war New Mexico went "over the top." In the field of agriculture and food production, the work of the council was of tremendous importance. Here, again, it was a successful story of the increase in production, due in



a large measure to the stimulation by the Council. The New Mexico wheat production in 1916 amounted to 2,104,000 bushels, while in 1918 it was 3,334,000 bushels. The total number of bushels of corn produced in 1916 was 2,625,000, while in 1918 it was 4,250,000. The production of potatoes, likewise, showed a tremendous increase. In 1916 the state produced 816,000 bushels. This number was increased by 1918 to 1,276,000. The Bureau of Crop Estimates credited this large increase in production mainly to the sale and distribution of seed, by the Council, on a credit-sales plan.

The publicity department of the Council was created in May, 1917, and on July 10, 1917, the *New Mexico War News* was ushered into existence. The paper was issued weekly for the purpose of keeping the public alerted and informed as to all war activities. It was designed, however, to circulate principally among county agricultural agents, county financial agents, and others identified with the agricultural campaign of the Council of Defense.

The *New Mexico Blue Book* of 1919 lists many other important activities of the Council. Some of these include the destruction of predatory animals, the conservation of gasoline, assisting miners and stockmen to get railroad cars, keeping a record of all New Mexico soldiers, aid in registering alien enemies, legal aid to soldiers, and the distribution of posters for the Federal Government.

### *Failure to Win Renomination*

Governor Lindsey had always been identified with the progressive wing of the Republican party. His nomination for lieutenant-governor in 1916 was due primarily to the fact that the regular Republicans wished to reconcile the progressive element in the party. In a very close election he won the office over his Democratic opponent, Governor W. C. McDonald, while his running-mate, Holm O. Bursum, representing the regular faction of the party, was defeated by E. C. de Baca. Upon the latter's death on February 18, 1917, Lindsey was elevated to the governorship.

The legislature was of a Republican majority, and with the regular Republicans predominating, R. L. D. McAllister,



staff correspondent of the *Albuquerque Journal*, wrote: "That this is another 'Bursum legislature' is generally conceded. . . . Although twice defeated for governor, the Socorro County man is today the dominant force in the councils of his party."

During Governor de Baca's illness, a Las Vegas attorney, Elmer Veeder, who was a prominent Democrat, acted as his legal advisor. He was much disliked by the regular Republicans, and some of them wished to have Lindsey become acting governor. He, however, would have no part in this plan. The *Journal* gave the following comment on the incident: "In the first place, the active co-operation of Washington E. Lindsey himself would be necessary to the consummation of this plan, and everything that Mr. Lindsey has said and done since he went into office negatives the idea that he would lend himself to a scheme to deprive Governor de Baca of any of the rights or powers of his office."

When Lindsey became governor, he was exceedingly popular with the people, including the Democratic party. "But," warned the *Albuquerque Journal*, "he has always been identified with the progressive wing of his party and he was one of the Republicans who revolted in the first campaign and helped overthrow the man whose running-mate he became in the next campaign." The *Journal* then went on to predict that the new Governor was ". . . likely to run against a snag of large proportions."

In his first speech as governor, given to the Republican state central committee, Lindsey voiced anything but a machine-type political program. Among other things, he advocated: appointments on merit, woman's suffrage, a cessation of vote buying, and more popular participation in government.

Soon after this address, the *New Mexican* stated that there were rumors that the old guard was holding off on platform legislation until certain appointments had been made. It stated further that Bursum had a candidate for the superintendency of the penitentiary. This position was considered the choicest political "plum" of all appointments. The *Journal* stated that the man most frequently mentioned

for the position was Senator Aniceto Abeyta, of Socorro, a close political and personal friend of Bursum.

On March 7, 1917, Governor Lindsey appointed, and the Senate later confirmed, Thomas Hughes of Albuquerque as superintendent of the state penitentiary. Hughes was a progressive Republican who had formerly been county chairman of Bernalillo County, and who, according to the *New Mexican*, had "reflected credit upon his common sense and decency" by breaking with a number of old guard bosses in the last campaign.

Another appointment of Lindsey's that did not enhance party harmony was that of Theodore Roualt to the position of state game warden. Governor de Baca had appointed Dennis Chaves to the position, and the office had traditionally gone to a Spanish-American. The regular Republicans hoped to follow the tradition in order to appease that faction within their party. Lindsey, however, did not choose to pay any attention to such traditional distinctions in making his appointments. He withdrew de Baca's nominee, and replaced it with the appointment of Theodore Roualt, of Las Cruces.

During the third legislature several situations arose that tended to widen the cleavage between the Governor and the predominating faction of the Republicans. Lindsey urged the legislature to submit a progressive woman's suffrage amendment. He made a sincere effort to get the proposal through that body, but his efforts were in vain. Despite the fact that both parties were bound by platform pledges to submit to the voters of the state a woman's suffrage amendment, no such action was taken. Feeling against woman's suffrage was strong, especially among Spanish-American members of both parties. When the measure was brought to a vote in the House, they were practically unanimous in their opposition to it. Their opposition, no doubt, was the reason the old line Republican leadership did not choose to push the measure.

Another situation that arose during the third session that widened the cleavage was the Texas boundary suit bill. The Republican leaders had drawn a bill for an appropria-

tion of \$50,000 for the prosecution of the suit, and had designated O. A. Larrazolo as chief counsel. Larrazolo had been a leading Democrat in New Mexico politics until his withdrawal from the party in 1911. Three times before this action, he had been nominated by the Democrats as candidate for delegate to Congress. He was defeated each time by the Republican candidate. After his last defeat, he announced his withdrawal from the party, and gave as the main reason for his action the accusation that the Democratic party was discriminating against his race.

Larrazolo immediately joined the Republican party, and there he received a warm welcome. In 1916 he was a strong contender for the Republican nomination for the Supreme Court, but did not win the position. The old line Republicans were aware of his political strength and sought to pay him a "political debt" by incorporating his name in the boundary suit bill.

Governor Lindsey contacted the legislative leaders and intimated that he would withhold his signature from the bill unless the names of Larrazolo and other attorneys were eliminated from it. According to the *Albuquerque Journal*, the Democrats and the Chief Executive forced the elimination of Larrazolo's name and reduced the amount of the appropriation to \$35,000 before it became a law. This action of the Governor, no doubt, had the effect of further alienating him from the regular Republicans and from the Spanish-speaking people.

A new source of friction arose during the special session of the legislature. It occurred in the formulation of the public defense act. The *New Mexican* charged in an editorial that the Republican machine wished ". . . to establish a regiment of state cavalry at an expense of hundreds of thousands of dollars in order to provide sinecures for political lame ducks and help build up the political machine." When, after a stubborn fight, the public defense act was finally passed it carried no provision for a "useless" state cavalry.

The first important move leading toward the selection of a Republican candidate for governor in the 1918 campaign occurred when Senator Albert B. Fall visited Santa

Fe in August, 1918. This visit was the occasion for a meeting of state Republican leaders. Bursum and Springer conferred with Fall at length, and a short conference was held with Governor Lindsey. One point emphasized as a result of this conference was that if the United States was to be assured of a Republican majority in the Senate, New Mexico must re-elect Albert B. Fall.

A few days after Fall left Santa Fe, the *New Mexican* charged that the Republican state ticket had been hand-picked by the Republican leaders. It stated that there ". . . seems to be a sort of disposition to let the leaders agree on the ticket and then everybody pretend to like it regardless and claim it represents the best brew of harmony on tap in these sugarless days."

Other results of the conference of state Republican leaders came to light. On August 30, 1918, Fall's campaign plans were announced. One was that, upon Fall's insistence, Holm O. Bursum would manage his campaign.

But the ". . . recent pow-wow of Fall state-fixers failed to fix everybody," said the *Santa Fe New Mexican*. It went on to state that a movement had been started to secure the Republican state chairmanship for A. W. Pollard of Deming, and that Lindsey was expected to become a candidate to succeed himself.

The prediction was not long in forthcoming. In a press release on August 10, Lindsey formally announced his candidacy. The announcement was addressed "To The Republicans of New Mexico." In regard to the announcement, the *New Mexican* commented, "The sage at classic Three Rivers, the bucolic sheep fancier of Socorro, and other estimable 'conference moguls' have had a pretty dilemma put up to them."

In his announcement, the Governor reviewed his administration and projected a platform on which he sought the nomination. He mentioned the enactment of the prohibition amendment and pledged the enforcement of the law to the limit. He pledged faithful execution of the budget law, the workmen's compensation law, and other measures passed by the legislature. He promised support and encouragement to



the public schools, and a thorough investigation and prosecution of the Kelly bond case. He assured his party that the entire force of the administration would be put behind the war and that every effort would be made to assist the United States in securing a victorious peace. He called his record "an open book" and stated that the records of his office the past two years was the best and only criterion on which to wage the campaign.

One effect of the Governor's announcement was that it increased the activity of the regular Republicans in lining up delegates for the forthcoming convention. In order to offset some of the "behind the scene" activity, Lindsey reasserted his candidacy in a second release to the press.

The Republican state central committee held a meeting at Santa Fe during the latter part of August. Bursum presided at the sessions in which, according to the *New Mexican*, Lindsey made a plain bid for the nomination for governor. It went on to say that he was given a surprisingly liberal hand considering the general opinion that the majority of the committee was opposed to his nomination.

Two weeks later a number of Republican leaders, including state chairman George Craig, Charles Springer, and H. O. Bursum, held an important unofficial meeting in Albuquerque. They had received letters from Senator Fall during the past ten days advising them that a Spanish-American must be the nominee for governor in order to insure a Republican victory. They had also been informed that Fall had sent word more or less directly to Lindsey that if a Spanish-American did not receive the vote of the convention, he would support Lindsey; but that he felt a Spanish-American should have the nomination.

In the meantime, the Democratic party held its state convention and nominated Felix Garcia, of Rio Arriba County, as candidate for governor. "While Governor Lindsey was a candidate for the nomination to succeed himself," said the *Albuquerque Journal*, "it was known from the moment the Democrats nominated Felix Garcia that he would not receive the nomination."

The Democrats, conscious of the Republican intra-party



strife, played it for what it was worth. Seemingly sensing who would be the Republican nominee, their resolutions condemned the Texas boundary suit appropriation, especially "the gift of \$7,500 in payment of a political debt." Their temporary chairman, Neill B. Field, in his keynote speech, after praising Governor Lindsey and the Democratic minority for having kept the Republicans from dissipating a large portion of the defense appropriation for a state cavalry, said: "I wonder if they will show their gratitude by renominating him for the office—not for some other office where he will be powerless to stand between them and their schemes, but for the office of governor, which I am frank to say, I think he has executed with fidelity and with as much efficiency as was possible under the restraining hands of the leaders of the Republican organization."

The Republican state convention opened in Santa Fe on October 2. While visiting among the delegates, Lindsey told them that he had come as a delegate from his home county, and that he was "prepared to play the game according to the rules." The keynote address was given by Bursum, the temporary chairman. In his address the speaker dealt largely with national issues. He was extremely generous in his praise of the accomplishments and qualifications of Senator Albert B. Fall in fitting into the national picture. In regard to Lindsey, Bursum said: "Governor Lindsey has given to the people of New Mexico a clean, honest, and fearless administration. He is entitled to appreciation for the faithful and efficient administration of public affairs relative to the governor's office."

When the time arrived for the presentation of candidates for governor, James M. Hervey, of Roswell, presented the name of Governor Lindsey. He termed him as a "great war governor" with a record of an administration that was "honest, fearless, and fair." The presentation was seconded by delegate Jack Wilcox, of Roosevelt County, who said that Lindsey would carry that solidly Democratic county.

Charles Spiess, of San Miguel County, presented the name of O. A. Larrazolo "amid much applause." After lauding his candidate, Spiess said that he was a friend of Gover-

nor Lindsey, but did not believe that the Governor was the strongest candidate.

On the first ballot, the convention nominated Larrazolo for governor. He received 852 votes while Lindsey was given 118. Lindsey carried Chaves, De Baca, Lea, Luna, Quay, and Roosevelt Counties. The remaining votes which he received came from counties scattered throughout the state.

Lindsey's failure to get the Republican nomination for governor in 1918 was the greatest disappointment of his life. According to one of his close friends, "It grieved him to his death." He always felt that he had given an energetic, efficient, and honest administration. That it was not due to lack of merit, but because he did not cater to the bosses that they saw to it that he was not renominated. He always felt that if he could have carried his cause to the people in a primary election he would have been successful. In analyzing the reason he did not serve again, one is lead to believe that it was due to a combination of forces. In the first place, Lindsey was of the progressive wing of the Republican party. Up until the time of his nomination for the lieutenant-governorship in 1916, he had opposed Holm O. Bursum and other regular Republicans. The friction between the two elements of the party continued during his administration. Secondly, Lindsey stood for more popular participation in government, such as the direct primary, initiative, referendum, recall, and woman's suffrage. These measures were not acceptable to most of the Spanish-Americans and to the large commercial interests that were supporting the Republican party. In the third place, the Republicans felt that in order to insure a complete Republican victory in New Mexico, a Spanish-American must head the state ticket. Albert Fall wished to win re-election to the United States Senate, and he put pressure upon the state Republican leaders to give the gubernatorial position to a Spanish-American. For this position, O. A. Larrazolo was the logical man. He was a close friend of Senator Fall, a man of ability, a gifted speaker, and an outspoken champion of the Spanish-speaking people.

After his governorship, Lindsey continued to play a

minor role in New Mexico politics. He gave counsel at all times to the Roosevelt County Republican organization and attended all state Republican conventions. In 1924, he was a delegate from New Mexico to the Republican national convention in Cleveland, Ohio.

Most of Lindsey's time and energy, however, were expended along lines other than political. After the close of his administration, he maintained a law office in Albuquerque for a short time, but soon returned to Portales to his former law and real estate office.

In conclusion, while Lindsey lacked the quality of dynamic leadership and the full confidence of his party, one can hardly deny that his absolute honesty, his unwavering patriotism, his devotion to popular democratic government, and his pioneering and progressive spirit enabled him to play an important role in the development of the young state of New Mexico.

*(The End)*

## CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

*(Continued)*

1940

- Jan. 13—Finish relief fund day. dated 12/28/39.
- Feb. 1—Social hygiene day. dated 1/30.
- Feb. 5-10—Sheep and wool week. dated 1/13.
- Feb. 12-22—National Americanism week. dated 3/9.
- Feb. 18-25—Social security week. dated 2/14.
- Mar. 4—Lordsburg declared a city. 2p. dated 3/4.
- Mar. 7—On taking of the census. dated 3/7.
- Mar. 10-17—Save your vision week. dated 3/4.
- Mar. 17-24—Wildlife conservation week. dated 2/29.
- Mar. 22—Good Friday. dated 3/21.
- Apr.—Cancer control month. dated 4/1.
- Apr. 14-21—Parent teacher week. dated 4/2.
- Apr. 15-20—Kindness to animals week. dated 4/18.
- Apr. 23—Grasshopper emergency. dated 4/23.
- May 1-7—State employment week.
- May 5-11—National music week. dated 4/30.
- May 17-25—National cotton week. dated 4/30.
- May 12-17—Radio festival week. dated 5/1.
- May 12—Hospital day. dated 5/8.
- May 18—World good will day. dated 4/30.
- May 18-24—World good will week.
- May 19—I am an American day. dated 5/18.
- May 20-25—"This work pays your community week." dated 5/15.
- June 2—"Little boy blue day." dated 5/6.
- June 2-8—National hotel week.
- June 8-14—Flag week. dated 6/5.
- July 1-7—Dental hygiene week. dated 6/24.
- Aug. 18-25—N. M. Products week. dated 8/8.
- Sept. 7—Primary election. 7p. dated 7/1.
- Sept. 30—Call for special session. dated 9/13.
- Sept. 22-28—N. M. Truck safety week. dated 9/8.
- Oct. 6-12—National business women's week. dated 10/3.
- Oct. 6-12—Fire prevention week. dated 10/3.
- Oct. 16—Registration day. dated 9/25.
- Dec. 17—Pan American aviation day. dated 12/3.

1941

- Jan. 17-24—National thrift week.
- Feb. 3-10—Sheep and wool week. dated 1/15.

- Feb. 12-22—National defense week. 2p. dated 2/12.  
Feb. 28—Quarantine of cattle against certain counties in Texas.  
3p. dated 2/28.  
Mar. 9-14—School bus safety week. dated 2/17.  
Mar. 23-30—Beef week. dated 2/17.  
Mar. 25—Greek war relief association day. dated 3/12.  
Mar. 29—Radio movin' day. dated 3/7.  
Apr. 11—Good Friday. dated 4/10.  
Apr. 14-19—Parent-teacher week. dated 3/28.  
Apr. 14-20—Golden rule week. dated 4/12.  
Apr. 20—Little boy blue day. dated 4/14.  
Apr. 20-26—Kindness to animals week. dated 4/15.  
May 4-10—Navy aviation week. dated 4/28.  
May 4-11—National music week. dated 4/23.  
May 4-11—Employment week. dated 4/25.  
May 4-11—Fire prevention week.  
May 12—Hospital day. dated 5/1.  
May 16-24—National cotton week. dated 5/13.  
May 18—I am an American day. dated 4/22.  
June 7—Registration day. dated 5/28.  
June 8-14—Flag week. dated 5/27.  
June 15-29—N. M. Flying cadet week.  
July 1—Second registration. dated 6/12.  
July 14-21—Aid to British labor week. dated 6/25.  
July 24—National defense day. dated 7/12.  
Sept. 20—Cattle quarantine lifted. dated 9/20.  
Oct. 1-7—Aspen week. dated 8/20.  
Oct. 5-11—Fire prevention week. dated 10/24.  
Oct. 5-11—National business women's week. dated 10/6.  
Oct. 26-Nov. 1—Food for freedom. dated 10/21.  
Nov. 2-9—N. M. Home builders week. dated 6/1.  
Nov. 9-15—American education week. dated 10/20.  
Nov. 11-16—Civilian defense. dated 10/29.  
Dec. 8—"Emergency existing" proclamation. dated 12/8.  
Dec. 15—Bill of rights day. dated 11/26.

## 1942

- Jan. 1—Good neighbor day.  
Jan. 12—Silver dollar week. dated 1/8.  
Feb. 4—Social hygiene day.  
Feb. 9—Day light saving time.  
Feb. 16—Third registration day. dated 1/17.  
Feb. 20—Day of prayer. dated 2/4.  
Feb. 22-28—Nutrition and plant for victory week. dated 2/4.  
Mar. 1-7—Beef week. dated 2/24.  
April—Buy coal now. dated 3/24.  
Apr. 3—Good Friday. dated 3/28.



- Apr. 5-11—Mobilization week.  
Apr. 11-18—China week in N. M. dated 3/23.  
Apr. 13—Defense bond week. dated 4/14.  
Apr. 17—Victory bond week. dated 4/14.  
Apr. 19-25—Kindness to animals week. dated 4/13.  
Apr. 25—Alliance day. dated 4/17.  
Apr. 27—Fourth registration day. dated 4/3.  
May 1—Day of prayer. dated 4/23.  
May 2—Navy relief day. dated 4/24.  
May 3-9—National employment week. dated 4/21.  
May 3-10—National music week. dated 4/15.  
May 12—Hospital day. dated 5/1.  
May 15-23—National cotton week. dated 4/15.  
May 17—I am an American day. dated 4/23.  
Fire prevention. dated 5/18.  
May 22—National maritime day. dated 5/7.  
June—Dairy month. dated 5/29.  
June 8-14—Flag week. dated 5/25.  
June 12—Patriot pageant and town meeting day. dated 5/10.  
June 22—Aid to Russia. dated 6/18.  
June 30—Fifth registration day. dated 5/8.  
July 8-16—Scrap rubber salvage week. dated 7/7.  
Aug. 22-28—Cheese week. dated 8/17.  
Sept. 1-Dec. 31—National scrap harvest. dated 8/10.  
Sept. 12—Calling for a primary election. 6p. dated 7/6.  
Sept. 12—To fill vacancy caused by death of Frank Butt from Bernalillo county. dated 8/3.  
Sept. 16-30—Scrap metal campaign. dated 9/11.  
Sept. 22—Auto speed reduced & reduction in use of passenger cars. dated 9/22.  
Sept. 27—Victory fleet day. dated 9/21.  
Oct. 4-10—Fire prevention week. dated 9/21.  
Oct. 12-18—Bible week. dated 10/6.  
Oct. 19—Women for war industry. dated 10/15.  
Nov. 1—Optimist week. dated 10/29.  
Nov. 1-15—American junior red cross membership drive. dated 10/28.  
Nov. 3—Senator for 22nd district comprising Quay county to fill vacancy caused by resignation of I. L. McAlister. dated 10/7.  
Nov. 8-14—American education week. dated 10/21.  
Nov. 10—Marine Corp day. dated 10/21.  
Nov. 12-18—Women at war week. dated 11/9.  
Dec. 2—Sixth registration of 18-19 year olds. dated 12/2.  
Dec. 7—V Day. 2p. dated 11/27.

1943

- Jan. 1—Good neighbor day.  
Jan. 12—Farm mobilization day. dated 1/8.

- Jan. 15-30—Official campaign period for raising funds for carrying on work for crippled children. dated 1/19.  
Jan. 26—McArthur Day. dated 1/16.  
Feb. 3—Social hygiene day. 1/23.  
Feb. 19-28—Brotherhood week. dated 2/9.  
March—WAAC Recruiting month. dated 2/26.  
March and April—Planting for victory months. dated 3/8.  
March—American Red Cross War fund campaign month. dated 3/3.  
Mar. 12-13—Stockman's mobilization days. dated 2/17.  
Mar. 25—Greek independence day. dated 3/11.  
Apr. 11-17—Kindness to animals week. dated 4/10.  
Apr. 13—200th anniversary of birth of Thomas Jefferson. dated 3/29.  
Apr. 14—Pan American day. dated 3/29.  
June-July—Calling attention to second annual music festival. dated 4/22.  
May 2-9—National music week. dated 4/15.  
May 16—I am an American day. dated 3/19.  
May 24—Fire prevention. dated 5/24.  
June 6—Shut-ins' week. dated 5/13.  
June 8-14—Flag week. dated 5/13.  
June 22—Requesting the people of the state to acquaint themselves with air raid regulations. dated 6/22.  
July—Second Records drive for fighting men. dated 7/7.  
Sept. 12-18—Waves enlistment week.  
Sept. 26-Oct. 3—13th Annual religious education week. dated 9/23.  
Sept. 27-Dec. 7—Recruiting of women for the army. dated 9/27.  
Oct.-Nov.—National war funds campaign months. dated 10/16.  
October—Membership enrollment month for National congress of parents and teachers. dated 9/27.  
Oct. 3-9—Fire prevention. dated 10/1.  
Oct. 10-16—National business women's week. dated 10/1.  
Oct. 11-17—Bible week. dated 10/11.  
Nov. 1-15—Red Cross enrollment time.  
Nov. 7-13—American education week. dated 10/30.  
Nov. 22—Annual Christmas seal sale. date 11/22.  
Dec. 15—Bill of rights day. Gov. Dempsey called attention to the necessity of conserving critical resources for the war.  
Dec. 15—Waste paper salvage. dated 12/15.

## 1944

- Jan. 17-23—National thrift week.  
Jan. 18-Feb. 15—Fourth war loan month. dated 1/12.  
Jan. 26—MacArthur day. dated 1/17.  
Jan. 30—President's birthday and the occasion of fund raising for national foundation for infantile paralysis. dated 1/24.

- Feb. 2—National social hygiene day. dated 1/27.  
Feb. 4-6—U.S.O. days. dated 1/31.  
March—WAAC recruiting month.  
March—Red Cross month. dated 2/24.  
April—Use eggs now month. dated 4/12.  
Mar. 17—Urging waste paper collection. dated 3/17.  
Apr. 2-9—Easter Seals week. dated 2/14.  
Apr. 23-29—Kindness to animals week. dated 4/12.  
Apr. 28—D Day as a day of prayer. dated 4/28.  
May 1—Child health day. dated 4/20.  
May 7-14—National and Inter-American music week. dated 4/20.  
May 8-13—Fraternal week. dated 5/2.  
May 11-17—Women's Army corps recruiting week. dated 5/2.  
May 13—Cadet nurse corps day. dated 5/3.  
May 7-14—National family week. dated 4/21.  
May 21—I am an American day. dated 4/27.  
May 22—Maritime day. dated 5/3.  
June—Dairy month. dated 6/2.  
June 4—Shut-ins' day. dated 6/2.  
June 6—Public proclamation calling a primary election.  
June 6—Participation in primary election. dated 5/13.  
June 14—Flag day. dated 6/2.  
June 15—Infantry day. dated 6/2.  
June 18—French resistance day. dated 6/13.  
July 10—Calling a special session of 16th legislature. dated 7/1.  
July 30—Wave day. dated 7/25.  
Sept. 15-Oct. 15—Christmas mailing days. dated 9/9.  
Sept. 24-Oct. 1—Annual religious education week.  
Sept. 24-Oct. 7—Drive for clothing for the benefit of the peoples of liberated nations. dated 9/23.  
Oct. 1-Nov. 1—Ambulance plane campaign month. dated 9/30.  
Oct. 1-7—Optimist week. dated 9/22.  
Oct. 8-14—Fire prevention week. dated 9/23.  
Oct. 8-14—National business women's week. dated 10/6.  
Oct. 9-15—National Bible week. dated 10/2.  
Oct. 9-Nov. 11—National war fund campaign month. dated 10/6.  
Oct. 22-29—Greek liberation week. dated 10/21.  
Nov. 5-11—American education week. dated 10/19.  
Dec. 15—Bill of Rights day. dated 11/21.  
Dec. 28—Seabee day. dated 12/22.

## 1945

- Jan. 8—War price and Rationing board week. dated 1/5/45.  
Jan. 17-23—National thrift week. dated 12/30/44.  
Jan. 21-27—Kiwaniis anniversary week. dated 1/11/45.  
Jan. 29—March of dimes. dated 1/29/45.  
Feb. 1-Apr. 30—War medical technician recruiting campaign. dated 1/29/45.

- Feb. 3-5—U.S.O. days. dated 1/22/45.  
Feb. 11—98th anniversary of birth of Thomas Alva Edison. dated 2/8/45.  
Mar.—Red Cross month. dated 2/19/45.  
Mar.—Easter seals month. lated 2/26/45.  
Mar. 3-11—4-H club week. dated 2/27/45.  
Mar. 13—"V-day." dated 3/13/45.  
Mar. 19-24—Check your tires week. dated 3/15/45.  
Apr. 1-30—Cancer control month. dated 4/4/45.  
Apr. 1-30—United National clothing collection month. dated 4/5/45.  
Apr. 6—Army day. dated 3/26/45.  
Apr. 9-15—National Sunday school week. dated 4/2/45.  
Apr. 13—Period of mourning for Pres. Roosevelt. dated 4/12/45.  
Day of mourning—funeral services for Pres. Roosevelt. dated 4/13/45.  
Apr. 15-21—Kindness to animals week. dated 4/5/45.  
Apr. 22-28—World fellowship week. dated 4/5/45.  
Apr. 22-28—Victory garden week. dated 4/12/45.  
May 6-13—National music week. dated 4/16/45.  
May 13—Day of prayer and thanksgiving—V.E. Day. dated 5/8/45.  
May 20—I am an American day. dated 5/1/45.  
May 21-26—National Cotton week. dated 5/11/45.  
May 22—National maritime day. dated 4/16/45.  
June—Dairy month. dated 5/21/45.  
June 3—International shut-in-day. dated 5/23/45.  
June 10-17—Flag week. dated 5/21/45.  
June 14—Flag day. dated 5/21/45.  
June 15—Infantry day. dated 6/11/45.  
August—Railroad manpower drive month. n.d.  
Aug. 3—Ernie Pyle day. dated 7/26/45.  
Aug. 7—Guadalcanal day. dated 8/6/45.  
Aug. 12-18—Social security observance week. dated 8/6/45.  
Aug. 15—"Victory day in New Mexico." dated 8/14/45.  
Sept. 16—Mexican Independence day. dated 8/4/45.  
Sept. 16-22—National American Legion membership acceleration week. dated 9/17/45.  
Sept. 17—Constitution day. dated 9/4/45.  
Sept. 22—American Indian day. dated 9/4/45.  
Sept. 30—National War fund Sunday. dated 9/11/45.  
Sept. 30-Oct. 7—Religious education week. dated 9/22/45.  
Oct. 1-8—Newspaper week. dated 10/1/45.  
Oct. 4—Rural school charter day. dated 10/1/45.  
Oct. 4—Recruiting. dated 10/4/45.  
Oct. 7-13—National employ the physically handicapped week. dated 10/2/45.

- Oct. 7-13—Fire prevention week. dated 10/2/45.  
Oct. 7-13—Optimist week in New Mexico. dated 10/2/45.  
Oct. 7-14—National business women's week. dated 10/3/45.  
Oct. 11—General Pulaski's memorial day in New Mexico. dated 10/4/45.  
Oct. 12—Columbus day. dated 10/8/45.  
Oct. 15-21—National Bible week. dated 10/13/45.  
Oct. 21-28—National flower week in New Mexico. dated 10/18/45.  
Oct. 27—Navy day. dated 10/16/45.  
Oct. 27—Commemoration of Theodore Roosevelt's birthday. dated 10/15/45.  
Nov. 1-7—American art week. dated 11/5/45.  
Nov. 7—Hot Springs is entitled to become a city and designated as the city of Hot Springs. dated 11/7/45.  
Nov. 10—Marine day. dated 11/6/45.  
Nov. 22-Dec. 8—Calling attention to Sister Kenny Foundation fund appeal. dated 11/20/45.  
Dec. 2-8—Buy a victory bond week. dated 11/29/45.  
Dec. 15—Bill of rights day. dated 11/30/45.  
Dec. 22—Requests bars be closed on Dec. 25. dated 11/22/45.

1946

- Jan. 17—Benjamin Franklin's birthday. dated 1/14.  
Jan. 25—N. M. State guard band ordered to active duty. dated 1/24.  
Jan. 30—President's birthday and March of dimes campaign. dated 1/23.  
Feb. 8-14—Boy Scout week. dated 1/15.  
Feb. 11—Thomas Alva Edison Day. dated 1/30.  
Mar.—Red Cross month. dated 2/21.  
Mar. 10—4-H Club week. dated 2/19.  
Mar. 17-23—Beef week. dated 2/19.  
April 1—Public proclamation calling primary election to be held June 4.  
April—Cancer control month. dated 4/3.  
April 7-13—Kindness to animals week. dated 3/30.  
April 14—Pan American day. dated 4/8.  
April 8-14—National Sunday school week. dated 4/5.  
April 14-21—Crippled children's week. dated 4/9.  
April 21-27—World Fellowship week. dated 4/18.  
April 27-May 4—Boys and girls week. dated 4/26.  
May 5-12—National music week. dated 4/26.  
May 5-12—Home demonstration week. dated 4/23.  
May 15-July 1—Traffic safety check program. dated 5/14.  
May and June—Marching forward months. dated 5/8.

*(To be continued)*



## Notes and Documents

### A NEW MEXICO TERRITORIAL GUARDSMAN.

One August night in Albuquerque, in the year of 1903, from a vacant lot on Railroad Avenue (now Central) just north of the Grant Building came horrified cries, hilarious shouts and hysterical laughter and hearty curses—all the healthy noises of a National Guard initiation in full form and full blast.

Jerry Nolan, a tramp printer on the *Albuquerque Citizen*, poked his inquisitive nose around the corner of the Grant Building and shook with unrefined and uncontrolled laughter.

The sight that provoked his hilarity was a group of Company G, Duke City National Guardsmen,<sup>1</sup> viciously tossing a raw recruit in a blanket. Just an old army custom, which many grey-haired and dignified old soldiers will recall with a shudder at the painful memory. This was only a small part of the initiation, or harmless hazing. There were imitations of the Indian Scalp Dance, running-the-alley-of-paddles, and other tortures, mentally more than physically harmful.

Jerry Nolan hung around for all the fun. He was wise to the ways of these Wild and Woolly West boys. When the hilariously shouting soldier boys had tossed their victim until he was dizzy and confused and thoroughly frightened, they dumped him out into the dust and rushed away pellmell toward the drill hall in the Grant Building, where a pleasant dance was in progress.

The blanket-tossed recruit finally staggered over to Jerry. "I knew you would be in for a good old-fashioned hazing, Scoops, when you told me you had joined the Territory of New Mexico National Guard. I knew that these town boys would give a raw recruit, an Eastern tenderfoot and fresh cub reporter, the works—all the tortures they could cook-up."

The well-initiated and shook-up guardsmen shook the dust out of his long hair and shuddered and shivered at the thought of more to come.

Jerry kept on laughing. "Don't get sore, Scoops," he advised. "Take the word of an old soldier like myself. You will get tossed in plenty of blankets of one kind or another by fun-loving folks and practical jokers on your journey through life." How right he was.

"If I'm ever a Captain," said Scoops, "I'll certainly get even with this gang." (The Captaincy came thirty years later—too late.)

"Don't be a tin soldier," said Jerry. "Take the rough spots like you enjoyed the bumps, and life will be a joyous adventure."

So the *Albuquerque Citizen* reporter, one C. L. (Scoops) Pancoast, found that the blanket-tossing and severe initiation of the Guardsmen

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1. The 1903 Adjutant General of Colorado was in Command of the Territory of New Mexico National Guard.



Chalmers (Scoops) Lowell Pancoast, a New Mexico Territorial Guardsman



had hurt his pride, and soiled up his brand-new uniform, more than it had hurt him physically. And then he hurried back into the drill-hall ready for whatever adventure awaited him there.

At the time I was a tenderfoot cub reporter on the *Old Citizen*, the most popular and only form of amusement was hazing, playing practical jokes, singing parodies on well-known ballads, reciting "Dangerous Dan McGrew," "The Face on the Bar-room Floor," and "The Cremation of Sam McGee." At that time the Klondyke rush was the big talk. I was bold enough to write a parody on Sam McGee, using Albuquerque as a background for the popular ballad. It was called, "I Cremated Sam McGurkie from Albuquerque." Here's the way the first verse was sung: "There are strange things done—In the Mid-night sun—By the men who mould for gold—And the Arctic trails—Have their secret tales—That would make your blood run cold—The Northern Lights—Have seen queer sights—But the queerest they ever seen workie—Was the night on the boat—On Lake Nannygoat—I cremated Sam McGurkie—Now Sam McGurkie was from Albuquerque—Where the Mañana Tree blooms and grows—Why he left his home in Old Town to roam—Around the pole—The devil only knows"—etc. etc. ad finitum. Dozens of verses, all equally as bad, followed. It was just an endurance race for tonsils and lung power.

Company G in Albuquerque was a swell military and social outfit. All night dances were held weekly at Grand Hall, and sometimes in Colombo Hall, the only theater in town. In the summer of 1903 we went into camp at Montezuma Hot Springs, outside of Las Vegas, and what a great time was had by all.

We had two Companies of Cavalry from Fort Wingate, Arizona, perfectionists in monkey-drills and trick riding. As Regimental Quarter Master Sergeant, I was on the staff of Colonel John Borradaile, Commanding the Regiment. I was assigned to duty with the Cavalry Quarter Master in planning all the social events at the Montezuma Hot Springs hotel.

One night while hobnobbing with the Arizona Cavalrymen, I was almost persuaded to join that flashy outfit at Fort Wingate, which was famous for their exhibition riding at the Albuquerque Territorial Fairs. But toward morning I met some newspaper reporters from Denver. I got leave of absence to join them on a trip over to Harvey's Ranch to get a story of the new scenic route that was being surveyed from Las Vegas to Santa Fe.

I was so busy getting material and pictures for the newspapers that I forgot all about joining the Arizona Cavalry. If I had, that would have been another story.

The following page explains how I happened to be made a Captain, Q.M.C., retired Officer of the New Mexico National Guard.

Chalmers Lowell Pancoast  
305 West 45th St.,  
New York, 19, N.Y.

(Copy)

Brigadier General Osborne C. Wood  
The Adjutant General

Major Hilario A. Delgado  
Assistant Adjutant General.

OFFICE OF  
THE ADJUTANT GENERAL

Santa Fe, N. M.

OCTOBER 15, 1934.

CERTIFICATE.

This is to certify that the name of CAPTAIN CHALMERS L. PANCOAST, Q.M.C. IS a retired Officer of the New Mexico National Guard and his name was placed on the retired list on January 1st. 1904.

Osborne C. Wood,  
The Adjutant General

(copy)

STATE OF NEW MEXICO  
OFFICE OF THE ADJUTANT GENERAL  
SANTA FE.

Special Orders  
No. 81.

October 15, 1934.

3. Regimental Quartermaster Sergeant, Chalmers L. Pancoast, First New Mexico Infantry is promoted to the grade of CAPTAIN, Q.M.C. New Mexico National Guard on January 1, 1904, and his name is placed upon the retired list of the New Mexico National Guard as of that date.

BY COMMAND OF THE GOVERNOR  
Osborne C. Wood  
The Adjutant General.

EDITOR OF THE NEW MEXICO HISTORICAL REVIEW

Dear Sir,

By Professor Worcester's article in the April number of the REVIEW, I see that he agrees with the *Handbook of American Indians* (B. A. E. Bull. 30, art., Apache) in deriving the name "Apache" from the Zuñi word *apachú*, "enemy." May I put the case for another explanation?—namely, that the Zuñi word is derived from *apádje*, "people," the name by which the Apaches of Yuman speech call themselves; that these Apádje were, at an early period, the typical enemies of the pueblo people; and that when the Athapascan Diné whom we know as the Navaho arrived, they were classified as a variety of Apache.

As for the name *Apaches de* (not *del*) *Navajoo* and related Spanish forms, they were taken, apparently, from the Tewa language—not



unnaturally, since Benavides and other missionary writers made acquaintance with the Navaho through the Tewa. At Hano one hears the expression (though not with special reference to the Navaho), *di nava hulu*, "they make fields, or plant, in the washes"; so that in New Mexican Tewa, where *l* is regularly replaced by a stop, *apádje di nava hu'u'i* would mean "Apache who make fields in the washes," i.e., a semi-agricultural though non-irrigating variety of Apache—a reasonable description of the Navaho practice—and might be represented in Spanish as *Apaches*<sup>1</sup> *de Navajoo* or *de Navajú*.

It remains to consider Benavides' assertion (*Memorial*, 1630, chapter "Conversión de los Apaches de Navajó"), "*que aunque son de la misma nación Apache que la antecedente*" (i.e., as the Gila Apache) "*están sujetos á otro capitán mayor y tienen otro modo de vivir, porque los de atrás no sembraban, sino que se sustentaban de caza. . . y estos de Navajó son muy grandes labradores, que eso significa Navajó, sembreras grandes.*" In the first place, Benavides was mistaken if he thought that what his Tewa informant gave him was a tribal name: the Athapascan Navaho called themselves *diné*, "people," and the Tewa called them *njwansave*. It must have been a descriptive or explanatory phrase. Possibly the informant used a quasi-noun-phrase, *navahu'u*, "arroyo, wash or cañada with field or cultivable land in it" (see J. P. Harrington, B.A.E. Ann. Rep. 29, p. 79). More probably, I think, he used the phrase with quasi-verbal prenominal prefix *di*, "they make fields in arroyos"; because (A) this fits the context—he was explaining what these people *do* which constitutes a "different mode of living" from that of the Gila Apache; they are semi-agricultural, they make fields in arroyos; and quite probably he went on to elucidate that phrase by reference to some large arroyo-field already known to Benavides, and from this Benavides got the idea that Navajó meant "*sementeras grandes.*" And (B) this *di* accounts for "*Apaches de Navajó.*"

Yours sincerely,  
BARBARA AITKEN  
Broughton, Hampshire, England  
June 5, 1951

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*Protest Against Slanderous Charges\**

Valid by the third seal for the years 1827 and 1828

Señor Honorable Political Chief:

Citizen Juan Geronimo Torres, neighbor and resident in the new

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1. New Mexico Spanish, like Andalusian, being apt to suppress final *s*.

\* Prepared for publication by Dr. Lynn I. Perrigo, Head Department of History and Social Sciences, New Mexico Highlands University.

See NEW MEXICO HISTORICAL REVIEW, April, 1951, for first installment of these documents and for explanatory note.

[The above documents represent the second part of the series of the Torres papers. Ed.]

jurisdiction of Sabinal; before your lordship, subject to your pleasure, I present myself and say: That obligated, by the necessity of defending my honor and rights, to make representations against the vexations and insults which the new Alcalde of my community has inferred against me publicly; I proceed to Your Lordship petitioning, in the fullest way, that for the said Alcalde there may be exposed to you his responsibility for abuse which he has made from his superior position, compared with me, taking advantage of this in order to shame me by word of mouth, telling me in the presence of more than a dozen persons that I am a "rebel,"<sup>1</sup> an expression, among many of which, he used to give vent to his resentment, and maltreating my person, which he has been doing repeatedly, thereby degrading me with what to me is such an insulting word; hence may you do the favor to order, if you esteem it proper, that the aforesaid Alcalde prove to me before a public sitting of an impartial and competent tribunal, how, when and where he has seen me commit such a serious crime, and how it is likely that knowing it (1) he (as the sole authority of most restricted jurisdiction) has permitted that he may remain in contradiction of an attempt at equal respectability. (2) Sir: in my poor judgment it is so irreconcilable as to believe an authority to avail himself of his office in order to express to a citizen insults which scandalize the hearing of citizens of honor and judgment; whose high regard I have procured to keep in order to merit the esteem of my co-citizens, as is public and well known, and in consequence of this it is excessively infuriating to me that an individual, like the citizen Alcalde Ramon Torres, whose quarrelsome tendency has always characterized his activities, may feed his passion and ill-will which he has for me, maltreating me publicly with stigmatizing and insulting words in the highest degree. Wherefore

OF YOUR HIGHNESS, I ask and beg that you may please order, because of being the sole recourse that I now can have, that the responsibility may be charged to the said Alcalde hereby liable under the law of the red seal, as much over the abuse of his authority as the proof that I am a "rebel," a point which I shall never lose sight of until I shall see my honor completely vindicated, leaving myself in the meantime the comfort that I am appealing to a superior who knows the individual against whom I direct my just complaint, certain that never will the aforesaid Alcalde prove to me the calumny which he has employed in order to avenge his well-known and base passions.

Santa Fe, June 30, 1827

Juan Geronimo Torres

### *Last Will and Testament*

1. In the name of God all-powerful, Amen.

I, Don Juan Geronimo Torres, native of Belen and resident of Sabinal, legitimate son of Juan Torres and of Doña Rita Garcia, both deceased, my deceased father a native of the city of Santa Fe and my

1. *revolucionario*.

mother of Tomé, finding myself by divine mercy sick in bed but in full soundness of faculty, believing and communing, as I faithfully bow and confess, the Mystery of the Trinity, Father, Son, and Holy Spirit, three persons, which although actually distinct have the same attributes and are only one true God and one essence and being, and all other of the mysteries and Sacraments which our Holy Mother the Apostolic Roman Catholic Church believes and confesses, whose true faith and creed I have lived, do live, and swear to live and die, as a faithful Christian Catholic: taking as my intercessor the ever Virgin and Immaculate Queen of the Angels, the Most Holy Mary, Mother of God, and Our Lady, of the Holy Guardian Angel, my custody, and that of my name and devotion, and moreover of the Celestial Court, in order that they may plead before our Lord and Redeemer Jesus, that by the infinite virtues of his most precious life, suffering, and death he may pardon all of my sins and take up my soul to enjoy his presence: fearful of the death which is so natural and necessary for all human creatures, so uncertain its time, for this to be prepared with a testamentary disposition of affairs when it arrives; to resolve with mature deliberation and reflection all things pertaining to the unburdening of my conscience; to avoid with clarity the doubts and disputes which without this could be stirred up after my death, and not to have at that hour some temporal care which might hinder my asking God with all earnestness the remission which I hope of my sins: I procure, I make and I order my testament in the following manner; today the sixth of October in the year of the Lord 1849.

Juan Geronimo Torres

First Article. I commit my soul to God our Lord, who created it from nothing and I send my body to the earth of which it was formed, which, become a corpse, I want enshrouded with the habit of our Seraphic Father Saint Francis and buried in the church of this village of Sabinal, of which I am a parishioner.

Second Article. It is my wish that (if he may be present) the parish priest Antonio Otero may minister at my interment, due to not having a full number of the religious order of Our Father Saint Francis; and my interment may be attended by persons who so desire.

Third Article. I request that on the day of my interment, there being time, or if not, on the day immediately following, there may be performed a mass for my soul, with my body present, with deacon, vigil, and responsary, alms being offered according to custom.

Fourth Article. I leave sixty pesos in order that masses may be offered to the Holy Sacrament.

Fifth Article. I declare myself to have been married legitimately to Doña Maria Josefa Chavez, in which marriage we have procreated, and we have as our legitimate children Don Juan, Don Pedro, Doña Maria

Rita, Doña Ana María and Doña Catalina Torres, all married and freed from tutelage, for which he vouches.

Sixth Article. I name as my executors Don Vicente Pino and Don Juan Torres and Don Pedro Torres, in order that they may take charge of affairs under this testament or memorial.

Seventh Article. In order to execute all the devout desires contained in this will, and which this memorandum might contain, in case I should leave it, I name as my executors the above named, and by the same request, that they may concur and to each *in solidum*,<sup>2</sup> and upon them I confer full power that they may immediately after I die take possession of my belongings to sell those most suitable and necessary in public auction or otherwise and from the returns to execute this and pay all which may fall to their duty within the legal year, and the more time that may be necessary, then it may be lengthened.

Article Eight. After the fulfillment and payment of all aforesaid, for the remainder of my belongings, household goods, property rights and grants present and future I establish as my sole and universal heirs the aforesaid Don Juan, Don Pedro, Doña Maria Rita, Señora Ana Maria and Doña Catalina Torres y Chavez, my five children, and the above mentioned Doña Maria Josefa Chavez, my wife, and any additional descendants of legitimate matrimony which I may have at the time of my death, and they shall be my heirs, in order that they may possess and obtain my goods by the order and degree, according to the authority, and dispose of it, by the laws of this territory, with the blessing of God and of myself.

Ninth Article. And for the present I revoke and annul all wills and other testamentary dispositions which up to the present I have prepared in writing, or orally, or in other form, in order that none may be valid nor have judicial nor extra-judicial effect, except this said testament and memorial which I wish and request may be respected and binding, and observed and executed in its full provisions as my last deliberate wish; or in the way and form which it may have a better position by law. Thus I procure and sign it in this village of San Antonio del Sabinal on the sixth of October of this year of the Lord eighteen hundred forty nine, having as witnesses Mariano Silba, Jesus Silba, Santiago Frugio and Balentin Basques.

#### *Inventory of Possessions*

We the undersigned, in order to execute faithfully the last will and testament of the deceased Juan Geronimo Torres, and as executors according to the title we obtain by nomination of the abovesaid deceased, and as much by this as by the confirmation and authorization which we have received from the F. C.<sup>3</sup> Prefect of Valencia County, Don

2. As one, or in unity.

3. Possibly it is an H. for *Honorable*, rather than F. C.



Manuel Antonio Otero, to whose jurisdiction this matter belongs, in employment of the powers which the laws fully allow us, we prepare (applying ourselves together by common consent) the following inventory or account, in order to carry out both our duty and the order of the Prefect, which thus is his authority meriting attention.

For his faithfulness and corresponding objectives,<sup>4</sup> thus we sign it, the three in accord, in this village of San Antonio del Sabinal, to-day, October 29, 1849.

1. Executor Vicente Pino
2. Executor Juan Torres
3. Executor Pedro Torres

By such authority is how the following is to be known:

Grants and possessions as established by documents in the house of the deceased, in Socorro and in La Joya de Sevilleta he has property by title of purchase.

We declare faithfully he has a grant right in Belen, as also is evident by the documents that he has there three hundred fourteen yards<sup>5</sup> from north to south and from east to west five hundred yards of arable grain land.<sup>6</sup>

Houses in this place, Sabinal.

There is in the first place the house in which resides the family of the deceased, which consists of nine rooms, its small court, with its exterior and interior doors<sup>7</sup> and its corresponding back-yard and timber enclosure; an orchard well planted with trees, with its mud-wall at its base, said orchard consists of three hundred vines bearing grapes, twenty-six trees of peaches, all fruit-bearing, sixteen the same of apples, one the same of quince, this and those of apples also fruit-bearing.

In addition, three kettles, one large and two of medium size, six silver dishes with their covers, a silver tankard, besides eleven pieces of apparatus among which one is of elk hide<sup>8</sup> (equipped), three carts and five plows, all with their respective supplies.

Besides the house noted above there are seven more in this same village, in which are lodged the servants of this same deceased, who altogether owe two-hundred seventy-nine pesos.

Moreover, charges by effective deeds and documents, one thousand one hundred seventy-one pesos and two reals.

#### Lands

In this same town of Sabinal there is property from east to west five hundred seventy two yards of land, from north to south three hundred fourteen yards, all of arable grain land.

4. *Y para su constancia y fines correspondientes.*

5. *Varas*, actually 33 inches each.

6. *de pan llevar.*

7. *aportalada por dentro y fuera*, apparently meaning double doors on the entrance through the house to the patio, for defense.

8. *uno es de anta.*



## Animals

The animals consist of the following: eleven pair of oxen, fifty eight head of cattle, fifteen yearling calves and eighteen new-born.

Besides, ten mares and the stallion, make eleven, and eighteen goats.

*Evaluation of Property*

## Grant Rights

Inventory of the belongings, cattle and furniture  
of the deceased Juan Geronimo Torres of the County of Valencia  
2—Grant rights in Socorro and in la Joya, one in each  
of these villages .....

## Houses

9—Rooms of house in Sabinal in which lives the family of the deceased, its value .....	\$ 300-0
1—Vineyard, consisting of three hundred vines .....	75-0
backyard and yard, its value .....	50-0

## House Ware

3—Kettles, one large and two medium, their value ....	50-0
6—Silver dishes and their covers .....	42-0
1—Silver tankard, its value .....	5-0
11—Pieces of apparatus, their value .....	5-0
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## Other Houses in Sabinal

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--	------

## Debts of Each Servant

Jose Alderete .....	16-0
Vicente Fajardo .....	2-0
Encarnacion Torres .....	46-0
Fermin Gomes .....	63-0
Juan Jose Chaves .....	51-0
Manuel Barreras .....	6-0
Jose Sanchez .....	24-0
Cristoval Archuleta .....	9-4

## Debts by Obligations

Gonalin Chavez owes obligation .....	\$ 146-0
Andres Montano .....	217-0
Nestor Dolores Gallegos .....	262-0
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## Animals

11—Pair of oxen, their value .....	\$ 242-0
58—Cattle .....	464-0
15—Yearling calves .....	30-0
18—Same, new-born .....	18-0
11—Mares, their value .....	90-0
18—Goats, at one peso .....	18-0

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\$3,127-6 [*sic*]<sup>9</sup>

## Lands

In this village of Sabinal there are five hundred seventy-two yards of land in length, which is from east to west; and in width three hundred fourteen yards, which is from north to south; and in Belen there are two hundred yards of land in length, and in width one hundred fifty, of arable grain-land,<sup>10</sup> or more of the grant as provided by law.

We, Jesus Silva and Valentin Vasques as witnesses for this current estimate, this inventory appearing legal to us, sign it today the eighth of October, A.D. 1849 in Sabinal; but excuse any error or omission.<sup>11</sup>

Jesus Silva

Valentin Vasques

(*To be continued*)

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9. The total is 3,043 pesos and 2 reals.

10. *de pan llevar*.

11. *mas salvo hierro ú omicion*.

## Book Reviews

*Tombstone's Epitaph*. Douglas D. Martin. Albuquerque: the University of New Mexico Press, 1951. Pp. xii, 272. \$4.50.

The little Arizona town of Tombstone has come to be a pretty big gun in the increasing Western salvo. And this is largely justified. In a very brief space of time Tombstone certainly corralled more than its share of what has come to be known as colorful characters. It's gotten so big, in significance, as a matter of fact, that the name has taken on a kind of generic symbolism. The slug, "The Town Too Tough To Die," a press-agent's classic, has in a way become quite true. Tombstone, which actually lived and died in a very few years, has been reborn, with the help of some publicity-wise citizens, and with a planned nostalgia, the place feasts on its past, with as many invited (paying) guests as possible.

Now again and again writers have been intrigued into attempting to recreate with their art the dubious glories of the original inhabitants of Tombstone, and some good and bad books have come out of it. It remained, however, for an expatriated easterner to come along and realize that no one needed to write the story of Tombstone, that Tombstone had written its own story, and well, when the noise of its explosion was highest.

There was a newspaper published in Tombstone, started by the ex-Indian agent John P. Clum, in 1880, called *The Epitaph*, for obvious reasons. And in this little newspaper, which others carried on after Clum, daily the events were recorded which have since provided grist for the book and movie mill, recorded with none of the romance and faking of hindsight and all of the clarity and immediacy of good newspaper reporting and writing.

The existence of this newspaper has been known, of course, to many writers, who have from time to time pored through its yellowed files to find the facts for their fiction. It was Douglas D. Martin, Pulitzer Prize winning former managing editor of the *Detroit Free Press* and now head of

journalism at the University of Arizona who realized that the items in the paper, in their own way, were better than any of the oat operas which were dreamed up from them. Using a judicious and impeccable editorial sense, he proceeded to abstract from the files of the paper its own account of its own history. The result is a minor triumph.

For here, in this book, is the story of Tombstone as it has never been presented, as it otherwise could never have been presented. Clum and his successors had no manifest sense of historic mission: they were just good newspapermen, intent on getting out a good sheet. We are the benefactors today, because we have the feeling, going through this book, of peeping into the past, with no 20th Century embroidering and an absence of Gary Cooper.

The big stories are all here just as they broke—for instance the ruckus which involved the Earps, Doc Halliday, et al, which has been gone over endlessly ever since in Technicolor—but, and this is more important, all the little stories are here, the incidents too trivial to attract high-powered fictioneers, which, relevant irrelevancies, make up the fiber and breath and air of a community.

By a slow mosaic process the life of the town is recreated, the church meetings, the parties, the social notes, the odds and ends of daily occurrences, the laughs, the sorrows, the drama, the ordinary. When you're finished you'll have lived for a little while authentically in an interesting community, oddly removed from and at the same time linked to the hoopla memories of today. This book is for a person who wants to travel back in time. On that basis, it is recommended highly.

ELLIOTT ARNOLD

*Arizona: The History of a Frontier State.* Rufus K. Willys. Phoenix: Hobson and Herr, 1950. Pp. xv, 408. Maps, ill. \$6.00.

Dr. Willys, social studies head at State College at Tempe, is long known as chief living authority on Arizona history. Trained under Dr. H. E. Bolton at the University of Cali-

fornia, he is author of books both on northern Mexico and on Arizona.

Here in one medium-length volume, we have the full history of Arizona, complete and authentic, as entertaining as it is informative. The book is similar in outline and organization to other best recent histories of single states. A brief survey of plant and animal life, geography and topography, precedes the historical account proper, which is part chronological and part topical. A clear account is given of prehistoric as well as later Indian life; of Spanish pioneers such as Coronado, Oñate and Kino—founder of the first mission settlement near present Tucson; Anza and Garces. Not Arizona silver but beaver furs drew the first Anglo-Americans, in the first third of the 1800's; such members of this reckless breed of men as Carson, Williams, Pattie, Robidoux, Young, St. Vrain, and Wolfskill.

A survey of Mexican missions and early incursions by Americans forms a background for the story of conquest in the Mexican war, stressing Kearny and the Mormon Battalion, and of minor skirmishes during the Civil War. Topical treatment is given to territorial origins, Apache Indian Wars, public lands and settlement, cattle and sheep ranching and irrigated agriculture, commerce and industry, politics since admission as the youngest and 48th state. For thirty years Arizona has led all other states in copper production, less glamorous and romantic than gold and silver mining of earlier days.

The book's value is increased by a dozen old photographs, eight specially prepared maps, and an excellent bibliography.

AUSTIN E. HUTCHESON

University of Nevada



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